

Recorded: 9/13/2023 at 9:10:02.0 AM
County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$25.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2243



Prepared by & Return To: Maura M. Miller, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1029
Address Tax Statements: Tax Exempt-IA Code Sec. 427.2 Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of FIVE HUNDRED FORTY-THREE AND NO/100-----(\$543.00)----- DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **GARY J. LYNCH AND MARY J. LYNCH a/k/a MARY JANE LYNCH, HUSBAND AND WIFE, AND MICHAEL A. LYNCH AND ALAINA LYNCH**, his wife, do hereby grant to the **STATE OF IOWA**, a permanent easement for road purposes and for use as a Public Highway in, to, on, over and across the following described real estate in Delaware County, Iowa:

THE EASEMENT GRANTED FOR HIGHWAY PURPOSES IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, also being part of Parcel D as recorded in Book 2011, Page 2515 in the Office of the Delaware County Recorder as shown on the Acquisition Plat Exhibit "A", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa; thence South 02°23'13" West 475.05 feet along the West line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 8, also being the West line of Parcel D as recorded in Book 2011, Page 2515 in the Office of the Delaware County Recorder to the Southwest corner of said Parcel D; thence South 89°18'54" East 33.05 feet along the South line of said Parcel D to the Point of Beginning, corner also being on the existing right of way line as shown on plat of survey of said Parcel D; thence North 02°22'49" East 95.57 feet along said existing right of way line; thence South 12°31'53" East 98.13 feet to the South line of said Parcel D; thence North 89°18'54" West 25.26 feet along the South line of said Parcel D to the Point of Beginning, containing 0.03 acres more or less.

Note: The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa is assumed to bear South 02°23'13" West.

This easement is given in fulfillment of a certain Purchase Agreement dated August 14, 2023, and recorded in the Delaware County Recorder's Office on August 21, 2023, at Book 2023, Page 1962, except for those terms that survive the execution of this document.

The additional amount of \$ 3,133.00 , as agreed to by the aforesaid Agreement, is paid as severance damages to the remaining property and is not subject to real estate transfer tax.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

This easement is being acquired for public purposes through eminent domain and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to grant an easement on the real estate; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the easement.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

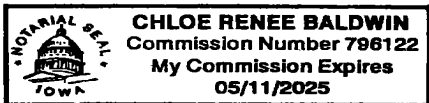
Dated JULY 5, 2023

Gary J. Lynch (Sign in Ink)
Gary J. Lynch

Mary J. Lynch (Sign in Ink)
Mary J. Lynch

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on 5th July, 2023, by Gary J. Lynch and Mary J. Lynch.



Chloe R. Baldwin (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Dated July 5, _____, 2023

Michael A. Lynch (Sign in Ink)
Michael A. Lynch

Alaina Lynch (Sign in Ink)
Alaina Lynch

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on 5th July, 2023,
by Michael A. Lynch and Alaina Lynch.



Chloe R. Baldwin (Sign in Ink)
Notary Public.

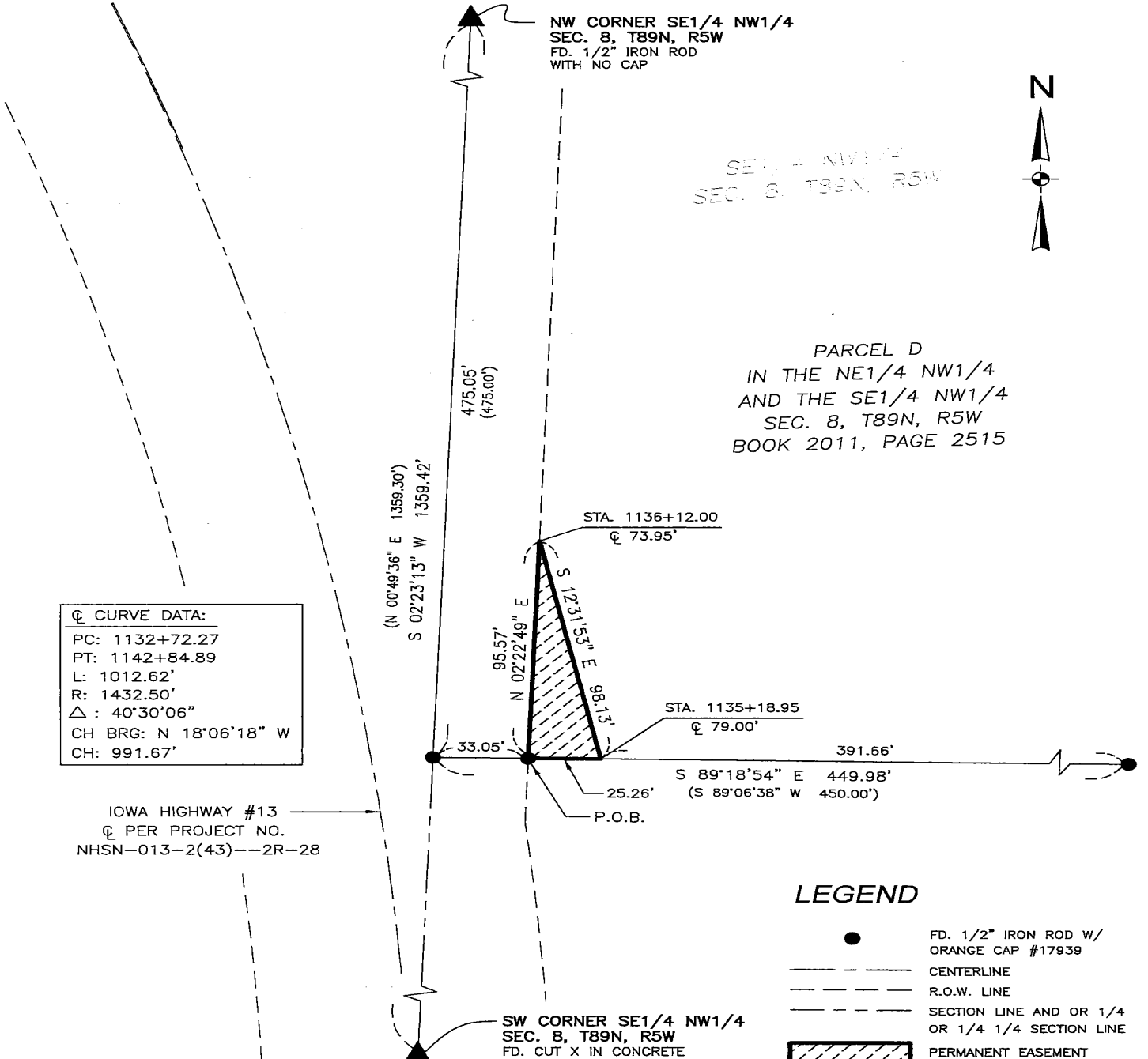
(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A"



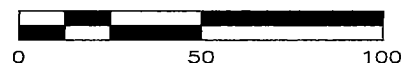
COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)-2R-28 PARCEL NO. 22
 SECTION 8 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.03 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____



LEGEND

- FD. 1/2" IRON ROD W/
ORANGE CAP #17939
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4
OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- () RECORDED AS
P.O.B. POINT OF BEGINNING

SCALE: 1" = 50'



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Brad J. Burger 8/9/2022
 BRAD J. BURGER LICENSE NO. 202B1 DATE
 My license renewal date is December 31, 2022.
 Pages or sheets covered by this seal: This page only