

Recorded: 9/13/2023 at 9:29:25.0 AM  
County Recording Fee: \$32.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$35.00  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2023 PG: 2246



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 TWENTY-SEVEN THOUSAND TWO HUNDRED TEN AND NO/100-----(\$27,210.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **ELLEN BROESDER AND TIMOTHY T. BROESDER, HER HUSBAND, JOHN C. BROGHAMMER AND MARY D. BROGHAMMER, HIS WIFE, AND SUSAN K. BROGHAMMER, A SINGLE PERSON**, 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 NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , all in Section 6, Township 89 North, Range 5 West of the 5<sup>th</sup> P.M., Delaware County, Iowa, 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 Southeast corner of Section 6, Township 89 North, Range 5 West of the Fifth 5<sup>th</sup> P.M., Delaware County, Iowa; thence North 01°36'42" East 267.03 feet along the East line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 6; thence North 88°23'06" West 62.98 feet to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 09°19'42" West 137.71 feet; thence North 01°31'25" West 124.03 feet; thence North 02°25'24" East 255.28 feet; thence North 04°21'01" East 300.28 feet; thence North 03°13'59" West 337.34 feet; thence North 03°08'32" East 225.06 feet; thence North 06°13'04" East 263.76 feet; thence North 04°03'45" West 309.66 feet; thence North 06°29'11" East 95.50 feet to the South line of a parcel of land described by deed recorded in Book 125, Page 361 in the Office of the Delaware County Recorder; thence North 89°18'49" East 40.44 feet along the South line of said parcel of land to said existing Westerly right of way line; thence South 01°39'30" West 2043.18 feet along said existing Westerly right of way line to the Point of Beginning, containing 1.41 acres more or less.

**Note:** The East line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 6, Township 89 North, Range 5 West of the 5<sup>th</sup> P.M., Delaware County, Iowa is assumed to bear North 01°36'42" East.

This easement is given in fulfillment of a certain Purchase Agreement dated August 21, 2023, and recorded in the Delaware County Recorder's Office on August 22, 2023, at Book 2023, Page 2009, except for those terms that survive the execution of this document.

The additional amount of \$ 6,841.00, 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 6-26, 2023

Ellen Broesder (Sign in Ink)  
Ellen Broesder

Timothy T. Broesder (Sign in Ink)  
Timothy T. Broesder

STATE OF Iowa, COUNTY OF Kossuth, ss:

This instrument was acknowledged before me on June 26th, 2023,  
by Ellen Broesder and Timothy T. Broesder.



Kathryn S. Blocker (Sign in Ink)  
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Dated June 21, 2023

John C. Broghammer (Sign in Ink)  
John C. Broghammer

Mary D. Broghammer (Sign in Ink)  
Mary D. Broghammer

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 21, 2023  
by John C. Broghammer and Mary D. Broghammer.



[Signature] (Sign in Ink)  
Notary Public.

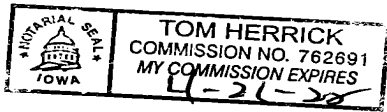
(AFFIX NOTARIAL SEAL ABOVE ▲)

Dated July 12, 2023

Susan Broghammer (Sign in Ink)  
Susan K. Broghammer

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 12, 2023  
by Susan K. Broghammer.



[Signature] (Sign in Ink)  
Notary Public.

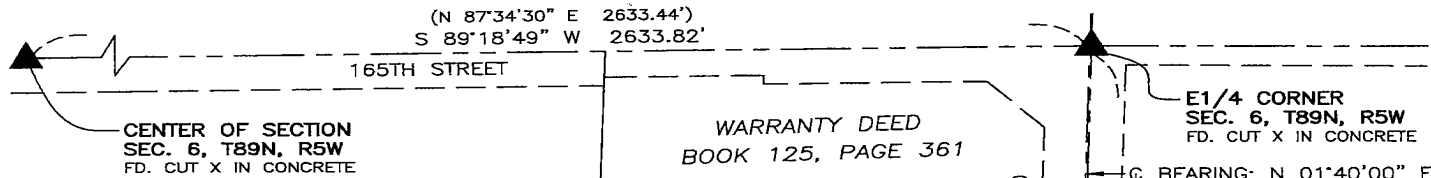
(AFFIX NOTARIAL SEAL ABOVE ▲)

# Iowa Department of Transportation

ACQUISITION PLAT  
EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 25  
 SECTION 6 TOWNSHIP 89 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE 1.41 +/- AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE  
 ACQUIRED FROM \_\_\_\_\_



## LEGEND

- F.D. R.O.W. RAIL
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- P.O.B.
- RECORDED AS
- POINT OF BEGINNING

PART OF THE NE1/4 SE1/4  
SEC. 6, T89N, R5W

☉ CURVE DATA:

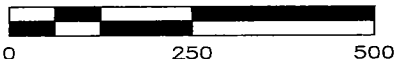
PC:	1152+79.17
PT:	1162+84.87
L:	1005.70'
R:	1432.50'
Δ:	40°13'30"
CH BRG:	N 18°14'36" W
CH:	985.17'

LINE	BEARING	DISTANCE
L1	N 09°19'42" W	137.71'
L2	N 01°31'25" W	124.03'
L3	N 02°25'24" E	255.28'
L4	N 04°21'01" E	300.28'
L5	N 03°13'59" W	337.34'
L6	N 03°08'32" E	225.06'
L7	N 06°13'04" E	263.76'
L8	N 04°03'45" W	309.66'
L9	N 06°29'11" E	95.50'
L10	N 89°18'49" E (EAST)	40.44'
L11	S 01°39'30" W	269.05'
L12	N 88°23'06" W	62.98'

### ACREAGE SUMMARY TABLE

PARCEL 25	NE1/4 SE1/4 SEC. 6, T89N, R5W	SE1/4 SE1/4 SEC. 6, T89N, R5W
	ACRES	ACRES
	0.80 +/-	0.61 +/-

SCALE: 1" = 250'



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* 7/27/2022  
 BRAD J. BURGER LICENSE NO. 20281 DATE  
 My license renewal date is December 31, 2022.

Pages or sheets covered by this seal: This page only

