

Recorded: 9/13/2023 at 10:23:28.0 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: 2250



Prepared by & Return To: Lisa Obrecht, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1813  
Address Tax Statements: Tax Exempt-IA Code Sec. 427.2 (Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010)

## COURT OFFICER EASEMENT FOR PUBLIC HIGHWAY

In the Matter of the Estate of  
EDWARD D. SEWARD  
now pending in the Iowa District Court  
in and for Clinton County.

No. ESPR020529

Pursuant to the authority and power vested in the undersigned, and in consideration of the sum of Two Thousand Two Hundred Forty Four AND NO/100— (\$ 2,244.00 )—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, the undersigned, in the representative capacity designated below, does 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:

#### Parcel A

A parcel of land located in the SW ¼ of the NW ¼ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, also being part of Parcel C as recorded in Book 2012, Page 3782 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 Southwest corner of the NW¼ of the NW¼ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; thence South 01° 06' 03" West 185.80 feet along the West line of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of said Section Twenty-nine (29); thence South 88° 53' 57" East 65.77 feet to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 05° 09' 17" East 196.26 feet; thence South 06° 03' 01" West 85.27 feet to the South line of Parcel C as recorded in Book 2012, Page 3782 in the Office of the Delaware County Recorder; thence North 87° 56' 48" West 15.24 feet along the South line of said Parcel C to said existing Easterly right of way line of Iowa Highway 13; thence North 01° 20' 52" East 279.80 feet along said existing Easterly right of way line to the Point of Beginning, containing 0.09 acres more or less.

AND

Delaware County Project No. NHSN-013-2(43)-2R-28  
Estate of Edward D. Seward (Parcel No. 42)

Page 1 of 4

**Parcel B**

A parcel of land located in the SW ¼ of the NW ¼ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, also being part of Parcel C as recorded in Book 2012, Page 3782 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 Southwest corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; thence North 85° 26' 36" East 66.92 feet along the North line of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of said Section Twenty-nine (29), also being the North line of Parcel C as recorded in Book 2012, Page 3782 in the Office of the Delaware County Recorder to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along the North line of said SW ¼ of the NW ¼ and the North line of said Parcel C North 85° 26' 36" East 18.28 feet; thence South 08° 23' 12" West 148.40 feet to said existing Easterly right of way line of Iowa Highway 13; thence North 01° 20' 52" East 145.40 feet along said existing Easterly right of way line to the Point of Beginning, containing 0.03 acres more or less.

Note: The West line of the SW¼ of the NW¼ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear South 01° 06' 03" West.

This easement is given in fulfillment of a certain Purchase Agreement dated July 17, 2023, and recorded in the Delaware County Recorder's Office on July 19, 2023, at Book 2023, Page 1674, as Document No. \_\_\_\_\_, except for those terms that survive the execution of this document.

The additional amount of \$ 2,777.00, as agreed to by the aforesaid Agreement, is paid as severance damages to the remaining property.

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.

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 6-22, 2023

Sandra Seward (Sign in Ink)  
Sandra Seward  
As Executor in the above entitled estate

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 22, 2023, by Sandra Seward, Executor of the Estate of Edward D. Seward.



[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. 42  
 SECTION 29 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±, EASE 0.12 AC ±, EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM \_\_\_\_\_

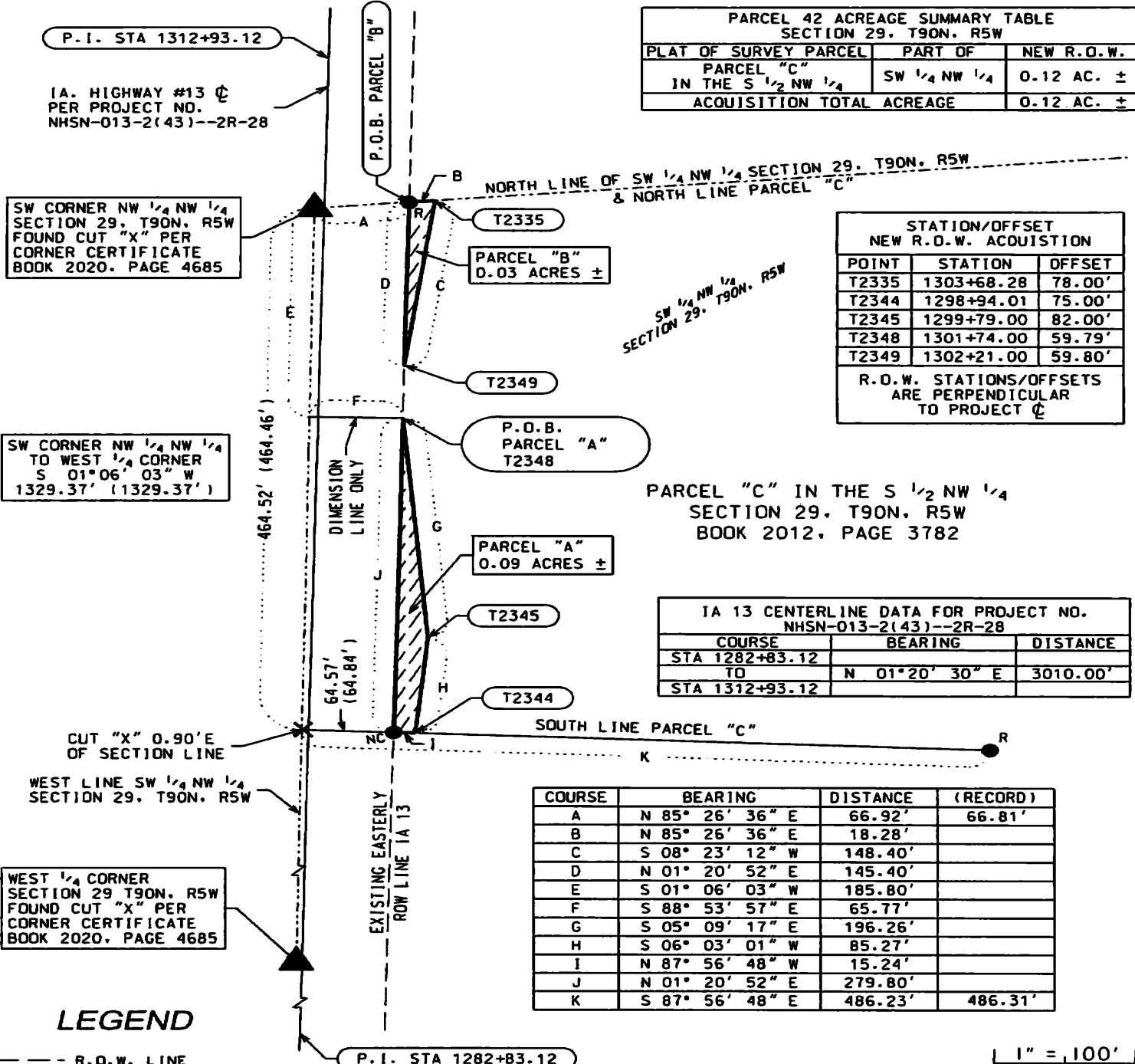
PARCEL 42 ACREAGE SUMMARY TABLE  
SECTION 29, T90N, R5W

PLAT OF SURVEY PARCEL	PART OF	NEW R.O.W.
PARCEL "C" IN THE S 1/2 NW 1/4	SW 1/4 NW 1/4	0.12 AC. ±
ACQUISITION TOTAL ACREAGE		0.12 AC. ±

STATION/OFFSET  
NEW R.O.W. ACQUISITION

POINT	STATION	OFFSET
T2335	1303+68.28	78.00'
T2344	1298+94.01	75.00'
T2345	1299+79.00	82.00'
T2348	1301+74.00	59.79'
T2349	1302+21.00	59.80'

R.O.W. STATIONS/OFFSETS  
ARE PERPENDICULAR  
TO PROJECT ☐



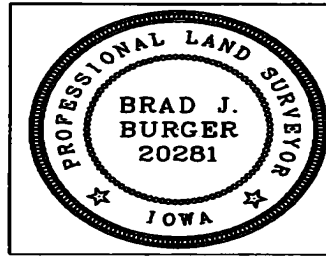
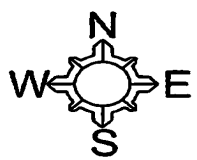
PARCEL "C" IN THE S 1/2 NW 1/4  
SECTION 29, T90N, R5W  
BOOK 2012, PAGE 3782

IA 13 CENTERLINE DATA FOR PROJECT NO.  
NHSN-013-2(43)--2R-28

COURSE	BEARING	DISTANCE
STA 1282+83.12 TO	N 01° 20' 30" E	3010.00'
STA 1312+93.12		

COURSE	BEARING	DISTANCE	(RECORD)
A	N 85° 26' 36" E	66.92'	66.81'
B	N 85° 26' 36" E	18.28'	
C	S 08° 23' 12" W	148.40'	
D	N 01° 20' 52" E	145.40'	
E	S 01° 06' 03" W	185.80'	
F	S 88° 53' 57" E	65.77'	
G	S 05° 09' 17" E	196.26'	
H	S 06° 03' 01" W	85.27'	
I	N 87° 56' 48" W	15.24'	
J	N 01° 20' 52" E	279.80'	
K	S 87° 56' 48" E	486.23'	486.31'

- LEGEND**
- R.O.W. LINE
  - FOUND 1/2" REBAR W/RED CAP STAMPED "LS7060"
  - SECTION LINE AND OR 1/4 1/4 SECTION LINE
  - ✕ FOUND CUT "X"
  - ( ) RECORDED AS
  - FOUND 1/2" REBAR W/NO CAP
  - P.O.B. POINT OF BEGINNING
  - ▨ PERMANENT EASEMENT



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

*Brad J. Burger* 8/12/2022  
 Brad J. Burger Date  
 License number 20281  
 My license renewal date is December 31, 2022  
 Pages or Sheets covered by this seal: Sheet 1 of 1  
 Page 4 of 4

DATE DRAWN: 6/28/2022 DCE 1" = 100'