

Recorded: 9/13/2023 at 12:23:05.0 PM
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$20.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2257



Prepared by & Return To: Stacia L. Turner, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1269
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 TWO THOUSAND EIGHT HUNDRED EIGHTY AND NO/100----- (\$2,880.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **SHAYNE R. FESSLER**, A SINGLE PERSON, 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:

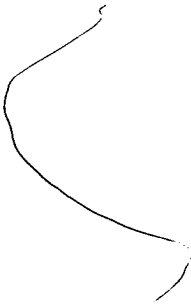
A parcel of land located in Parcel A in the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa; thence South 01° 53' 37" West 337.89 feet along the East line of said Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the East line of Parcel A as recorded in Book 2000, Page 1160 in the Office of the Delaware County Recorder to the Southeast corner of said Parcel A; thence South 89° 39' 50" West 33.03 feet along the South line of said Parcel A to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along the South line of said Parcel A South 89° 39' 50" West 71.22 feet; thence North 21° 05' 04" East 159.39 feet; thence North 57° 01' 55" East 22.88 feet to said existing Westerly right of way line of Iowa Highway 13; thence South 01° 53' 37" West 160.83 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.16 acres more or less.

Note: The East line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa is assumed to bear South 01° 53' 37" 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 26, 2023, at Book 2023, Page 1741, except for those terms that survive the execution of this document.

The additional amount of \$8,432.00, 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.

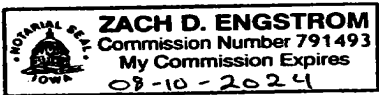
Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated 6/21/23, 2023.

Shayne R. Fessler (Sign in Ink)
SHAYNE R. FESSLER

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 21, 2023, by Shayne R. Fessler.



[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. 47
 SECTION 19 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.16 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM SHAYNE R. FESSLER, A SINGLE PERSON

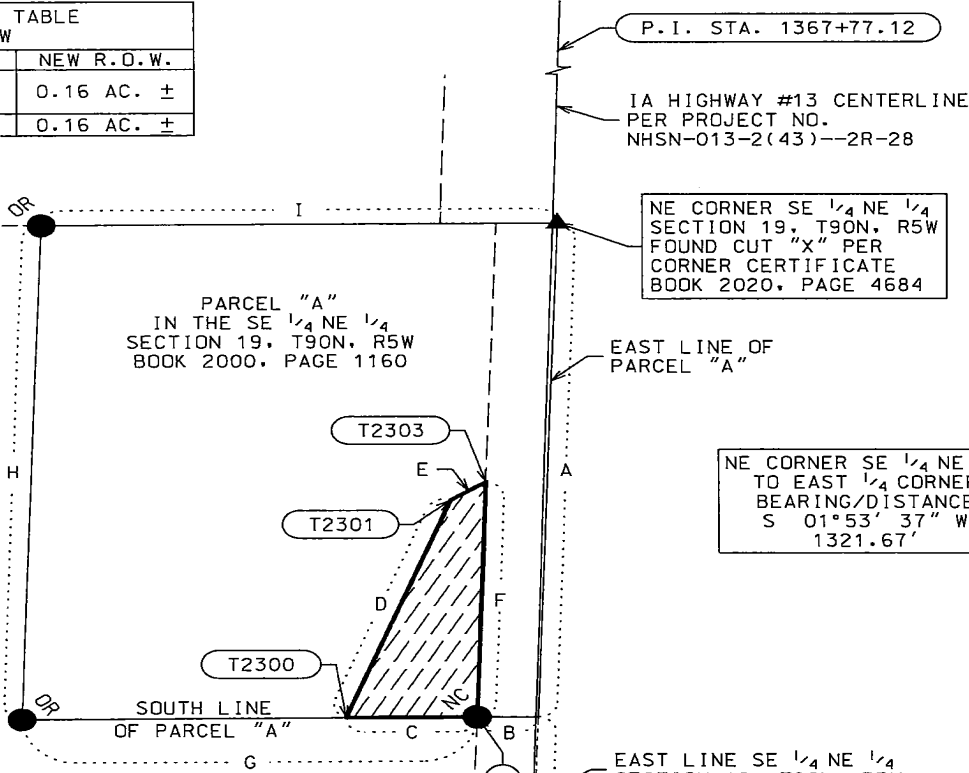
PARCEL 47 ACREAGE SUMMARY TABLE SECTION 19, T90N, R5W		
PLAT OF SURVEY PARCEL	PART OF	NEW R.O.W.
PARCEL "A"	SE 1/4 NE 1/4	0.16 AC. ±
PARCEL "A" TOTAL		0.16 AC. ±

NORTH LINE SE 1/4 NE 1/4
SECTION 19, T90N, R5W

PARCEL "A"
IN THE SE 1/4 NE 1/4
SECTION 19, T90N, R5W
BOOK 2000, PAGE 1160

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
T2300	1353+11.68	103.00'
T2301	1354+62.00	50.00'
T2303	1354+75.00	31.18'

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



P.I. STA. 1367+77.12

IA HIGHWAY #13 CENTERLINE
PER PROJECT NO.
NHSN-013-2(43)--2R-28

NE CORNER SE 1/4 NE 1/4
SECTION 19, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4684

EAST LINE OF
PARCEL "A"

NE CORNER SE 1/4 NE 1/4
TO EAST 1/4 CORNER
BEARING/DISTANCE
S 01°53' 37" W
1321.67'

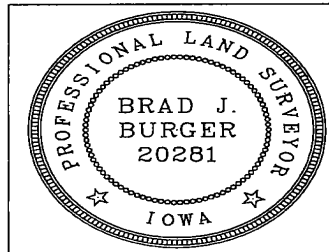
EAST LINE SE 1/4 NE 1/4
SECTION 19, T90N, R5W

COURSE	BEARING	DISTANCE	(RECORD)
A	S 01° 53' 37" W	337.89'	(338.29')
B	S 89° 39' 50" W	33.03'	(33.03')
C	S 89° 39' 50" W	71.22'	
D	N 21° 05' 04" E	159.39'	
E	N 57° 01' 55" E	22.88'	
F	S 01° 53' 37" W	160.83'	
G	S 89° 39' 50" W	246.75'	(246.81')
H	N 01° 54' 33" E	338.41'	(338.29')
I	N 89° 46' 13" E	279.67'	(279.66')

IA. 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
STA 1316+79.88		
TO	N 01° 39' 43" E	5097.24'
STA 1367+77.12		

LEGEND

- R.O.W. LINE
- SECTION LINE AND OR 1/4 1/4 SECTION LINE
- OR FOUND 1/2" REBAR W/ORANGE CAP STAMPED "10165"
- NC FOUND 1/2" REBAR W/NO CAP
- P.O.B. POINT OF BEGINNING
- () RECORDED AS
- ▨ 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

