

Recorded: 9/13/2023 at 12:58:38.0 PM
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: 2259



**RE-RECORDED
EASEMENT FOR PUBLIC HIGHWAY**
Recorder's Cover Sheet

PREPARER INFORMATION: Maura Miller, Right of Way Office, Iowa Department of Transportation, 800 Lincoln Way, Ames, IA 50010, 515-239-1029

RETURN DOCUMENT TO: Maura Miller, Right of Way Office, Iowa Department of Transportation, 800 Lincoln Way, Ames, IA 50010, 515-239-1029

GRANTORS:
Julie A. Huff, et al

GRANTEES:
State of Iowa

LEGAL DESCRIPTION: (See Pages 2 and 3)

DOCUMENT OR INSTRUMENT NUMBER OF PREVIOUSLY RECORDED DOCUMENTS:

THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE SPELLING OF GRANTOR NAME THOMAS LANGR IN THE EASEMENT FOR PUBLIC HIGHWAY RECORDED IN THE DELAWARE COUNTY RECORDER'S OFFICE ON SEPTEMBER 13, 2023, IN BOOK 2023, PAGE 2245.

CORRECTION CONVEYANCES ARE EXEMPT FROM TRANSFER TAX. IOWA CODE SEC. 428A.2(10).

Delaware County Project No. NHSN-013-2(43)--2R-28
Julie A. Huff, et al (Parcel No. 21)

Recorded: 9/13/2023 at 9:21:30.0 AM
County Recording Fee: \$27.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$30.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2245



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 FOUR THOUSAND SIX HUNDRED FIFTY AND NO/100— (\$4,650.00)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **JULIE A. HUFF AND TIM HUFF, HER HUSBAND AND MARY A. LANGR AND THOMAS LANGER, HER HUSBAND**, 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 NW¹/₄ of the NW¹/₄ and the SW¹/₄ of the NW¹/₄, all in Section 8, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, also being part of Parcel G as recorded in Book 2012, Page 4420 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 NE corner of the SW¹/₄ of the NW¹/₄ of Section 8, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa; thence S89°30'32" West 253.65 feet along the North line of the SW¹/₄ of the NW¹/₄ of said Section 8 to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence along said existing Westerly right of way line and along a circular curve concave Southwesterly for an arc length of 225.33 feet, said circular curve having a central angle of 09°20'33", a radius of 1381.90 feet, a chord bearing of S24°33'33" East and a chord length of 225.08 feet to the South line of Parcel G as recorded in Book 2012, Page 4420 in the Office of the Delaware County Recorder; thence S89°28'38" West 32.49 feet along the South line of said Parcel G; thence N17°23'22" West 108.30 feet; thence N30°41'10" West 222.81 feet; thence N37°56'35" West 180.28 feet to the North line of said Parcel G; thence N89°44'07" East 21.65 feet along the North line of said Parcel G to said existing Westerly right of way line of Iowa Highway 13; thence S38°21'03" East 71.15 feet along said existing Westerly right of way line; thence continuing along said existing Westerly right of way line and along a circular curve concave Southwesterly for an arc length of 212.89 feet, said circular curve having a central angle of 08°53'28", a radius of 1371.90 feet, a chord bearing of S33°54'19" East and a chord length of 212.68 feet to the North line of said SW¹/₄ of the NW¹/₄; thence N89°30'32" East 11.42 feet along the North line of said SW¹/₄ of the NW¹/₄ to the Point of Beginning, containing 0.24 acres more or less.

Note: The North line of the SW¼ of the NW¼ of Section 8, Township 89 North, Range 5 West, of the 5th P.M., Delaware County, Iowa is assumed to bear South 89°30'32" 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 1963, except for those terms that survive the execution of this document.

The additional amount of \$ 1,452.00, 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 27, 2023

Julie A. Huff (Sign in Ink)
Julie A. Huff

Tim Huff (Sign in Ink)
Tim Huff

STATE OF Iowa, COUNTY OF Hamilton, ss:

This instrument was acknowledged before me on July 27, 2023
by Julie A. Huff and Tim Huff.



[Signature] (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Dated July 10, _____, 2023.

Mary A. Langr (Sign in Ink)
Mary A. Langr

Thomas Langr (Sign in Ink)
Thomas Langr

STATE OF Iowa _____, COUNTY OF Washington _____, ss:

This instrument was acknowledged before me on July 10th _____, 2023,
by Mary A. Langr and Thomas Langr.



Lucas Anderson (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

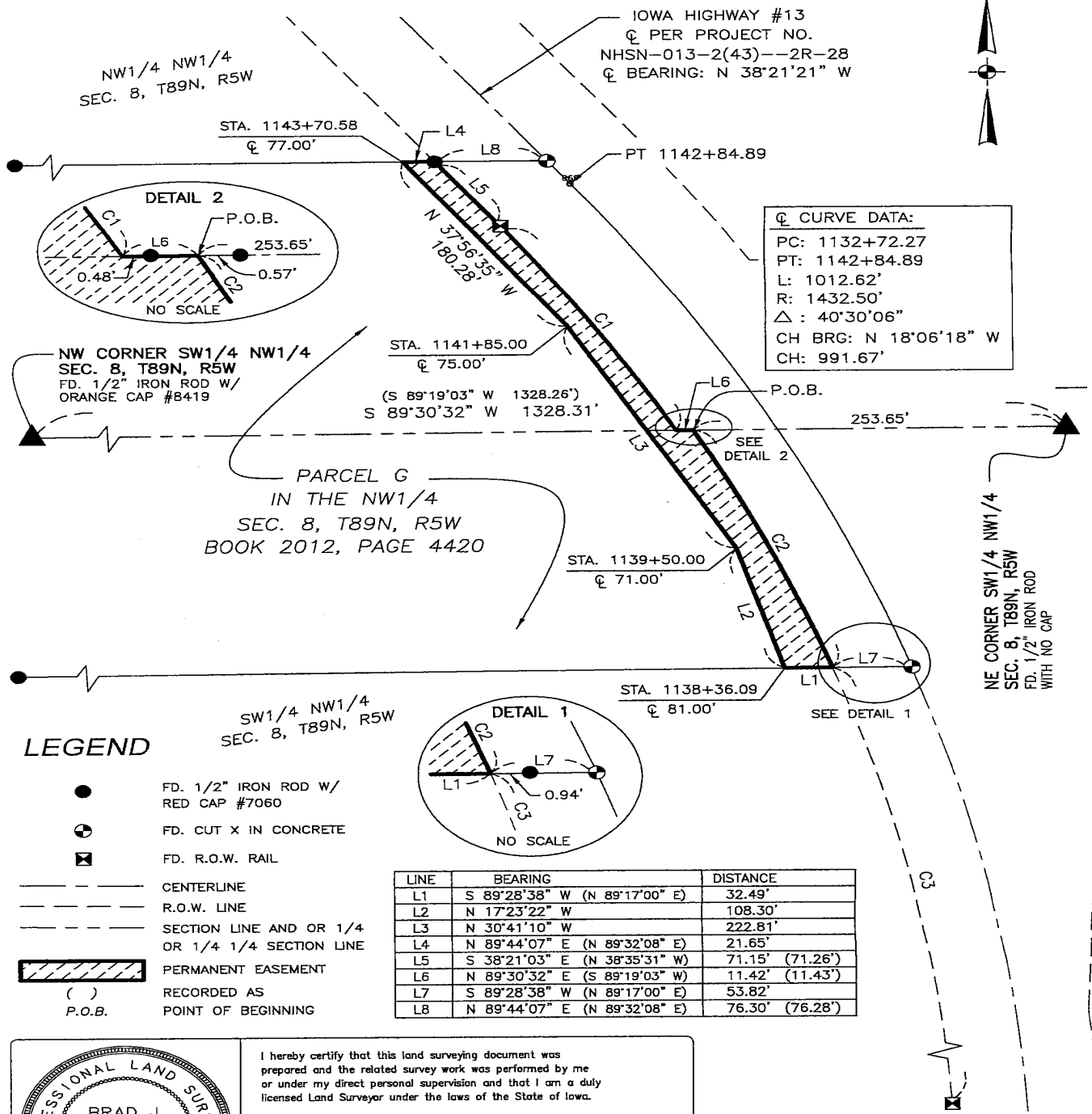
Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 21
 SECTION 8 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.24 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|----------|-------------|---------------|--------------|
| C1 | 212.89' | 1371.90' | 08°53'28" | S 33°54'19" E | 212.68' |
| C2 | 225.33' | 1381.90' | 09°20'33" | S 24°33'33" E | 225.08' |
| C3 | 531.75' | 1381.90' | 22°02'50" | S 08°51'52" E | 528.47' |

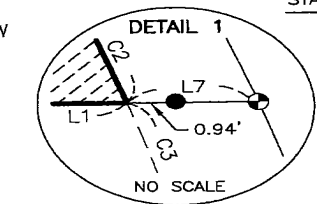


Q CURVE DATA:

| | |
|---------|---------------|
| PC: | 1132+72.27 |
| PT: | 1142+84.89 |
| L: | 1012.62' |
| R: | 1432.50' |
| Δ: | 40°30'06" |
| CH BRG: | N 18°06'18" W |
| CH: | 991.67' |

LEGEND

- FD. 1/2" IRON ROD W/ RED CAP #7060
- ⊗ FD. CUT X IN CONCRETE
- ⊠ FD. R.O.W. RAIL
- 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



| LINE | BEARING | DISTANCE |
|------|-------------------------------|-----------------|
| L1 | S 89°28'38" W (N 89°17'00" E) | 32.49' |
| L2 | N 17°23'22" W | 108.30' |
| L3 | N 30°41'10" W | 222.81' |
| L4 | N 89°44'07" E (N 89°32'08" E) | 21.65' |
| L5 | S 38°21'03" E (N 38°35'31" W) | 71.15' (71.26') |
| L6 | N 89°30'32" E (S 89°19'03" W) | 11.42' (11.43') |
| L7 | S 89°28'38" W (N 89°17'00" E) | 53.82' |
| L8 | N 89°44'07" E (N 89°32'08" E) | 76.30' (76.28') |



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 8/7/2022
 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

