

Recorded: 9/19/2023 at 8:57:22.0 AM
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: 2330



Prepared by & Return To: Allyssa Myers Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1757
Address Tax Statements: Tax Exempt-IA Code Sec. 427.2 (Delaware County Engineer's Office, 2139 Highway 38, Manchester, IA, 52057)

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of SEVEN HUNDRED TWENTY AND NO/100-----(\$720.00)----- DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **D & C HOLTZ FARM, LLC**, a limited liability company organized and existing under the laws of the State of Iowa, does hereby grant to **DELAWARE COUNTY, 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 Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa, also being part of Parcel 2015-52 as recorded in Book 2015, Page 1404 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 Southeast corner of Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence South 89° 39' 48" West 266.68 feet along the South line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of said Section Eighteen (18); thence North 00° 20' 12" West 33.00 feet to the existing Northerly right of way line of 130th Street and the Point of Beginning; thence North 70° 57' 24" East 23.29 feet; thence South 89° 01' 59" East 65.01 feet; thence North 84° 37' 51" East 105.20 feet; thence South 01° 39' 02" East 15.22 feet to said existing Northerly right of way line of 130th Street; thence South 89° 39' 48" West 192.19 feet along said existing Northerly right of way line to the Point of Beginning, containing 0.04 acres more or less.

Note: The South line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear South 89° 39' 48" West.

This easement and a certain Easement for Public Highway to the State of Iowa, executed by the above named grantor are 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 1966, except for those terms that survive the execution of this document.

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.

Grantor does hereby covenant with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to grant an easement on the real estate; and it covenants to warrant and defend the real estate against the lawful claims of all persons except as may be above stated.

Grantor hereby states that the person(s) executing this instrument is duly authorized by the grantor and has the legal capacity to execute this instrument.

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 7-25, 2023

D & C HOLTZ FARM, LLC

By: Donald A. Holtz (Sign in Ink)
Donald A. Holtz, Manager

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 25, 2023, by Donald A. Holtz as Manager of D & C Holtz Farm, LLC.



Zach D. Engstrom (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. 49
 SECTION 18 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE *0.04 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM _____

PARCEL 49 ACREAGE SUMMARY TABLE SECTION 18, T90N, R5W		
LOCATION	PART OF	*NEW R.O.W.
PARCEL 2015-52	SE 1/4 SE 1/4	0.04 AC. ±
TOTAL		0.04 AC. ±

*ACQUIRED IN THE NAME OF DELAWARE COUNTY

SOUTHEAST CORNER
SECTION 18, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4682

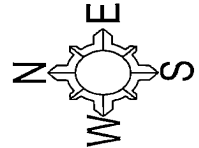
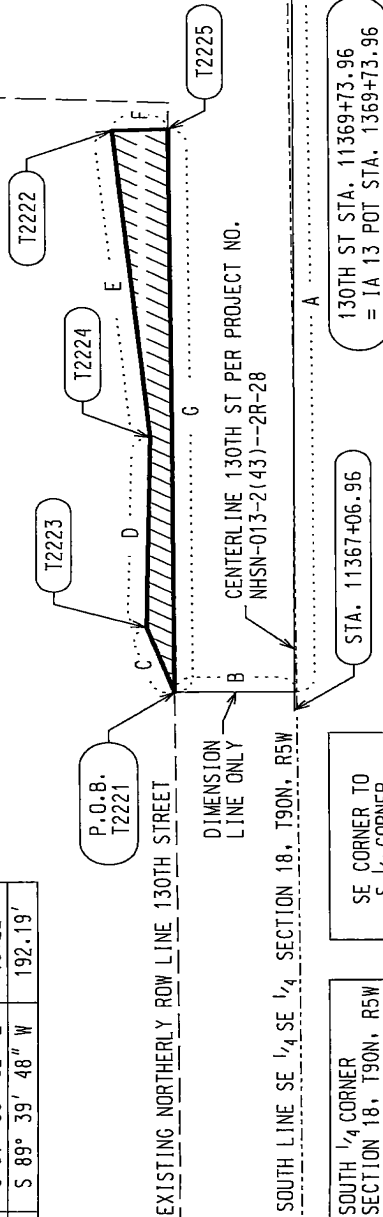
130TH STREET CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
TO STA 11367+06.96	S 89° 54' 52" E	267.00'
STA 11369+73.96		

EAST LINE SE 1/4 SE 1/4 SECTION 18, T90N, R5W
 IA HIGHWAY #13 CENTERLINE PER PROJECT NO. NHSN-013-2(43)--2R-28

EXISTING WESTERLY ROW LINE IA 13

SECTION 18, T90N, R5W
 PARCEL 2015-52

PARCEL 2015-52
 BEING PART OF THE SE 1/4
 SECTION 18, T90N, R5W
 BOOK 2015, PAGE 1404



LEGEND

- R.O.W. LINE
- - - SECTION LINE AND OR 1/4 SECTION LINE
- P.O.B. POINT OF BEGINNING
- () RECORDED AS PERMANENT EASEMENT
- 1" = 50'

DATE DRAWN: 6/16/2022 DCF

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
T2221	11367+13.00	32.37'
T2222	11369+04.72	49.00'
T2223	11367+35.00	40.00'
T2224	11368+00.00	39.00'
T2225	11369+05.18	33.79'

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

COURSE	BEARING	DISTANCE
A	S 89° 39' 48" W	266.68'
B	N 00° 20' 12" W	33.00'
C	N 70° 57' 24" E	23.29'
D	S 89° 01' 59" E	65.01'
E	N 84° 37' 51" E	105.20'
F	S 01° 39' 02" E	15.22'
G	S 89° 39' 48" W	192.19'

SOUTH 1/4 CORNER
SECTION 18, T90N, R5W
FOUND IA DOT ALUMINUM
MONUMENT PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4682

SE CORNER TO
S 1/4 CORNER
BEARING/DISTANCE
S 89° 39' 48" W
2652.88'

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