

Recorded: 9/19/2023 at 8:57:23.0 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: 2331



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 (Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010)

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of ONE THOUSAND NINETY AND NO/100-----(\$1,090.00)----- DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **DONALD A. HOLTZ AND CHERYL L. HOLTZ**, husband and wife, 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:

Parcel A

A parcel of land located in Parcel A in the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, 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 Eighteen (18), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence North 02° 10' 35" East 800.52 feet along the East line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Eighteen (18); thence North 87° 49' 25" West 38.23 feet to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 02° 14' 03" West 160.61 feet along said existing Westerly right of way line to the South line of Parcel A as recorded in Book 2005, Page 604 in the Office of the Delaware County Recorder; thence North 87° 35' 48" West 28.83 feet along the South line of said Parcel A; thence North 12° 24' 58" East 163.10 feet to the Point of Beginning, containing 0.05 acres more or less.

AND

Parcel B

A parcel of land located in Parcel A in the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, 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 Eighteen (18), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence North 02° 10' 35" East 999.52 feet along the East line of the Southeast Quarter (SE¹/₄) of the Southeast Quarter (SE¹/₄) of said Section Eighteen (18); thence North 87° 49' 25" West 38.03 feet to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 16° 17' 56" West 55.11 feet to the North line of Parcel A as recorded in Book 2005, Page 604 in the Office of the Delaware County Recorder; thence South 87° 45' 56" East 17.52 feet along the North line of said Parcel A to said existing Westerly right of way line of Iowa Highway 13; thence South 02° 14' 03" West 52.25 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.01 acres, more or less.

Note: The East 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 North 02° 10' 35" East.

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 1965, except for those terms that survive the execution of this document.

The additional amount of \$330.00, 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 7-25, 2023

Donald A. Holtz (Sign in Ink)
Donald A. Holtz

Cheryl L. Holtz (Sign in Ink)
Cheryl L. Holtz

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 25, 2023,
by Donald A. Holtz and Cheryl L. Holtz.



[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. 51
 SECTION 18 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.06 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM _____

PARCEL 51 ACREAGE SUMMARY TABLE SECTION 18, T90N, R5W	
LOCATION	NEW R.D.W.
PARCEL "A" PART OF THE SE 1/4 SE 1/4	0.06 AC. ±
TOTAL	0.06 AC. ±

EAST 1/4 CORNER
SECTION 18, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4682

NORTH LINE PARCEL "A"

PARCEL "B"
0.01 ACRES ±

P.O.B.
T2208

PC STA.
1423+24.57

STATION/OFFSET NEW R.D.W. ACQUISITION		
POINT	STATION	OFFSET
2200	1380+27.25	50.71'
T2203	1376+15.47	62.00'
T2207	1377+76.00	33.18'
T2208	1379+75.00	33.19'

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

PARCEL "A"
IN THE
SE 1/4 SE 1/4
SECTION 18, T90N, R5W
BOOK 2005, PAGE 604

COURSE	BEARING	DISTANCE	(RECORD)
A	N 02° 10' 35" E	800.52'	
B	N 87° 49' 25" W	38.23'	
C	S 02° 14' 03" W	160.61'	
D	N 87° 35' 48" W	28.83'	
E	N 12° 24' 58" E	163.10'	
F	N 02° 10' 35" E	999.52'	
G	N 87° 49' 25" W	38.03'	
H	N 16° 17' 56" W	55.11'	
I	S 87° 45' 56" E	17.52'	(17.49')
J	S 02° 14' 03" W	52.25'	
K	N 89° 48' 23" E	263.27'	(263.23')

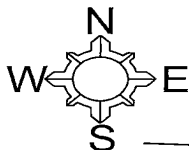
SE CORNER TO
E 1/4 CORNER
BEARING/DISTANCE
N 02° 10' 35" E
2656.97'
(2657.07')

P.O.B.
T2207

IA 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
POT 1369+76.42 TO	N 02° 14' 14" E	5348.15'
P.C. 1423+24.57		

LEGEND

- R.D.W. LINE
- FOUND 1/2" REBAR W/ORANGE CAP STAMPED "10165"
- - - SECTION LINE AND OR 1/4 1/4 SECTION LINE
- () RECORDED AS
- P.O.B. POINT OF BEGINNING
- PERMANENT EASEMENT



SOUTH LINE PARCEL "A"

1" = 50'

DATE DRAWN: 6/13/2022 DCF



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 8/22/2022
 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

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

POT STA.
1369+76.42

EXISTING WESTERLY ROW LINE IA 13

411.87' (411.97')

EAST LINE SE 1/4 SE 1/4 SECTION 18, T90N, R5W

DIMENSION LINE ONLY

IA 13 ☉ PER PROJECT NO. NHSN-013-2(43)--2R-28

PARCEL "A"
0.05 ACRES ±

T2203

DIMENSION LINE ONLY

PC STA. 1423+24.57