

Recorded: 9/19/2023 at 12:57:48.0 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: 2338



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 Twelve Thousand Three Hundred Ten AND NO/100----(\$ 12,310.00 )----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, AND **JOHN HOLTZ and JANICE 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:

A parcel of land located in the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 18, Township 90 North, Range 5 West of the 5<sup>th</sup> P.M., Delaware County, Iowa, also being part of Parcel 2015-50 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 E $\frac{1}{4}$  Corner of said Section 18; thence South 89° 23' 53" West 53.80 feet along the North line of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 18 to the NE Corner of Parcel 2015-50 as recorded in Book 2015, Page 1404 in the office of the Delaware County Recorder, said corner also being on the existing Westerly right of way line of Primary Road No. IA 13 and the Point of Beginning; thence S02°14'22"W 876.19 feet along said existing Westerly right of way line and the East line of said Parcel 2015-50 to the SE Corner of said Parcel 2015-50; thence S89°40'08"W 40.36 feet along the South line of said Parcel 2015-50; thence N12°31'27"E 100.80 feet; thence N01°46'49"W 299.74 feet; thence N06°35'56"E 236.69 feet; thence N02°43'55"W 242.44 feet to the North line of said NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and said Parcel 2015-50; thence N89°23'53"E 46.40 feet along the North line of said NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and said Parcel 2015-50 to the Point of Beginning, containing 0.68 acre, more or less.

Note: The East line of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 18 is assumed to bear South 02° 10' 35" West.

This easement is given in fulfillment of a certain Purchase Agreement dated August 31, 2023, and recorded in the Delaware County Recorder's Office on September 5, 2023, at Book 2023, Page 2157, as Document No. \_\_\_\_\_, except for those terms that survive the execution of this document.

The additional amount of \$ 4,228.00, 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.

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.

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.



[Signature] (Sign in Ink)  
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

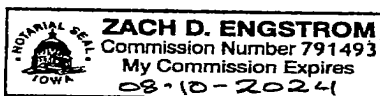
Dated August 21, 2023

John E. Holtz (Sign in Ink)  
John Holtz

Janice E. Holtz (Sign in Ink)  
Janice Holtz

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on August 21, 2023, by John Holtz and Janice 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. 49A  
 SECTION 18 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±, EASE 0.68 AC ±, EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM \_\_\_\_\_

PARCEL 49A ACREAGE SUMMARY TABLE SECTION 18, T90N, R5W		
PLAT OF SURVEY PARCEL	PART OF	NEW R.O.W.
PARCEL 2015-50	NE 1/4 SE 1/4	0.68 AC. ±

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
T2234	1387+51.82	91.00'
T2240	1388+51.00	73.00'
T2241	1391+50.00	94.00'
T2242	1393+86.00	76.00'
T2243	1396+27.52	97.00'

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

NORTH LINE NE 1/4 SE 1/4 SECTION 18, T90N, R5W  
 NORTH LINE PARCEL 2015-50

NE 1/4 SE 1/4 SECTION 18, T90N, R5W

PARCEL 2015-50  
BEING PART OF THE SE 1/4  
SECTION 18, T90N, R5W  
BOOK 2015, PAGE 1404

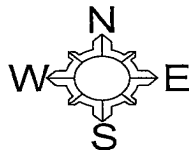
COURSE	BEARING	DISTANCE	(RECORD)
A	S 89° 23' 53" W	53.80'	(53.73')
B	S 02° 14' 22" W	876.19'	(876.16')
C	S 89° 40' 08" W	40.36'	
D	N 12° 31' 27" E	100.80'	
E	N 01° 46' 49" W	299.74'	
F	N 06° 35' 56" E	236.69'	
G	N 02° 43' 55" W	242.44'	
H	N 89° 23' 53" E	46.40'	

IA 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
POT 1369+73.96 TO	N 02° 14' 14" E	5350.61'
P.C. 1423+24.57		

SOUTH LINE PARCEL 2015-50

LEGEND

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



POT STA. 1369+73.96

1" = 200'

DATE DRAWN: 6/19/2022 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 8/12/2022  
 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

