

Recorded: 9/21/2023 at 9:20:13.0 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: 2367



Prepared by & Return To: Lisa Obrecht, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1813
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 seven hundred fifteen AND NO/100—(\$ 2,715)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **JOSEPH W. KAFER AND BECKY L. KAFER**, 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 the SE¼ of the SE¼ of Section Thirty-one (31), 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 Thirty-one (31), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence North 00° 47' 12" East 564.68 feet along the East line of the SE¼ of the SE¼ of said Section Thirty-one (31) to the Southeast corner of a parcel of land described by warranty deed recorded in Book 2001, Page 1651 in the Office of the Delaware County Recorder; thence North 89° 12' 48" West 33.00 feet along the Southerly line of said parcel of land described by warranty deed recorded in Book 2001, Page 1651 to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along said Southerly line North 89° 12' 48" West 18.34 feet; thence North 10° 07' 06" East 113.08 feet to said existing Westerly right of way line; thence South 00° 47' 12" West 111.58 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.02 acres more or less.

Note: The East line of the SE¼ of the SE¼ of Section Thirty-one (31), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear North 00° 47' 12" East.

AND

Parcel B

A parcel of land located in the SE¼ of the SE¼ of Section Thirty-one (31), 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 E¼ corner of Section Thirty-one (31), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence South 00° 47' 12" West 1328.67 feet along the East line of the SE¼ of said Section Thirty-one (31) to the Northeast corner of the SE¼ of the SE¼ of said Section Thirty-one (31); thence South 89° 03' 31" West 33.02 feet along the North line of a parcel of land described by warranty deed recorded in Book 2001, Page 1651 in the Office of the Delaware County Recorder to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 00° 47' 12" West 377.05 feet along said existing Westerly right of way line; thence North 03° 36' 54" West 377.29 feet to the North line of said parcel of land described by warranty deed recorded in Book 2001, Page 1651; thence North 89° 03' 31" East 28.97 feet along said North line to the Point of Beginning, containing 0.13 acres more or less.

Note: The East line of the SE¼ of Section Thirty-one (31), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 47' 12" 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 22, 2023, at Book 2023, Page 2013, as Document No. _____, except for those terms that survive the execution of this document.

The additional amount of \$ 3,780.00, 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 18, 2023

Joseph W. Kafer (Sign in Ink)
Joseph W. Kafer

Becky L. Kafer (Sign in Ink)
Becky L. Kafer

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 18, 2023
by Joseph W. Kafer and Becky L. Kafer.



[Signature] (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

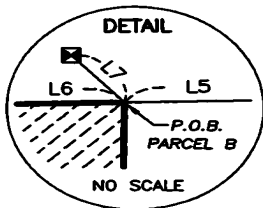
Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 33
 SECTION 31 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.15 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE _____
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE _____
 ACQUIRED FROM _____

LINE	BEARING	DISTANCE
L1	N 89°12'48" W (WEST)	33.00'
L2	N 89°12'48" W (WEST)	18.34'
L3	N 10°07'06" E	113.08'
L4	S 00°47'12" W	111.58'
L5	S 89°03'31" W (EAST)	33.02'
L6	N 89°03'31" E (EAST)	28.97'
L7	N 41°37'22" W	0.59'
L8	S 00°47'12" W	1328.67'



LEGEND

- 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
- P.O.B.
- RECORDED AS POINT OF BEGINNING

DATE DRAWN: 8/12/2022
 DATE REVISED: 5/31/2023

SCALE: 1" = 100'



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 5/31/2023
 BRAD J. BURGER LICENSE NO. 20281 DATE

My license renewal date is December 31, 2024

Pages or sheets covered by this seal: This page only

PART OF THE SE1/4 SE1/4
 SEC. 31, T90N, R5W
 AS DESCRIBED BY WARRANTY DEED
 BOOK 2001, PAGE 1651

PARCELA
 0.02 +/- ACRES

STA. 1216+13.15
 C 54.89'

STA. 1217+25.00
 C 38.27'

STA. 1223+76.19
 C 69.83'

PARCEL B
 0.13 +/- ACRES

E1/4 CORNER
 SEC. 31, T90N, R5W
 FD. CUT X IN CONCRETE

SEE
 DETAIL

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

C BEARING:
 N 00°45'37" E

P.I. 1219+09.12

C BEARING:
 N 01°40'00" E

SE CORNER
 SEC. 31, T90N, R5W
 FD. CUT X IN CONCRETE