

Recorded: 9/25/2023 at 9:47:16.0 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: 2398



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 ONE HUNDRED EIGHTY ONE AND NO/100-----(\$181.00)----- DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **CJH FARMS, 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 Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Seventeen (17), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) 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 Northeast corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Seventeen (17), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence South 88° 12' 48" West 62.25 feet along the North line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section Seventeen (17); thence South 01° 47' 11" East 33.00 feet to the existing Southerly right of way line of 180<sup>th</sup> Street and the Point of Beginning; thence South 08° 44' 15" East 16.38 feet; thence North 61° 30' 50" West 32.26 feet to said existing Southerly right of way line; thence North 88° 12' 48" East 25.88 feet along said existing Southerly right of way line to the Point of Beginning, containing 0.01 acres more or less.

Note: The North line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Seventeen (17), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear South 88° 12' 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 17, 2023 and recorded in the Delaware County Recorder's Office on August 21, 2023, at Book 2023, Page 1969, 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 July 6, 2023

CJH FARMS, LLC

By: Curtis J. Honkamp (Sign in Ink)  
Curtis J. Honkamp, Manager

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 6, 2023, by Curtis J. Honkamp as Manager of CJH Farms, LLC.



Jill Kunde (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. 13

SECTION 17 TOWNSHIP 89 NORTH RANGE 5 WEST

ROW-FEE \_\_\_\_\_ AC, EASE \* 0.01 +/- \_\_\_\_\_ AC EXCESS-FEE \_\_\_\_\_ AC

ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_

ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_

ACQUIRED FROM \_\_\_\_\_

\* ACQUIRED IN THE NAME OF DELAWARE COUNTY

LINE	BEARING	DISTANCE
L1	S 01°47'11" E	33.00'
L2	S 08°44'15" E	16.38'
L3	N 61°30'50" W	32.26'
L4	N 88°12'48" E	25.88'

180TH STREET

Q PER PROJECT NO.

NHSN-013-2(43)--2R-28

Q BEARING: N 87°55'18" E

S 88°12'48" W 1345.50'  
(N 86°31'10" E)

NW CORNER  
SEC. 17, T89N, R5W  
FD. BERNSTEIN MONUMENT

IA 13 POC STA. 1099+23.32  
= 180TH STREET STA. 6099+23.32

NE CORNER NW1/4 NW1/4  
SEC. 17, T89N, R5W  
FOUND PK NAIL

Q CURVE DATA:  
PC: 1097+14.63  
PT: 1101+21.47  
L: 406.84'  
R: 5730.00'  
Δ: 04°04'05"  
CH BRG: N 00°06'43" E  
CH: 406.76'

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

PC STA. 1097+14.63

Q BEARING:  
S 89°50'08" E

62.25'

DIMENSION LINE ONLY

P.O.B.

STA. 6098+48.00

Q 56.64'

STA. 6098+18.00

Q 40.57'

PART OF THE NW1/4 NW1/4  
SEC. 17, T89N, R5W



SCALE: 1" = 40'



## LEGEND

- PERMANENT EASEMENT
- CENTERLINE
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- R.O.W. LINE
- RECORDED AS
- POINT OF BEGINNING

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* 7/27/2022  
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 \_\_\_\_\_