

Recorded: 9/26/2023 at 12:39:03.0 PM  
County Recording Fee: \$37.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$40.00  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2023 PG: 2416



Prepared by & Return To: Carrie Crabtree, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-233-7753  
Address Tax Statements: Tax Exempt-IA Code Sec. 427.2 Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010

## **COURT OFFICER EASEMENT FOR PUBLIC HIGHWAY**

In the Matter of the Estate of  
ARLENE T. JONES  
now pending in the Iowa District Court  
in and for Delaware County.

Probate No. ESPR006761

Pursuant to the authority and power vested in the undersigned, and in consideration of the sum of Thirty-two thousand fifty AND NO/100— (\$ 32,050.00 )—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, the undersigned, in the representative capacity designated below, does 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 SW ¼ of the SW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A1 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southwest corner of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence North 00° 47' 12" East 89.66 feet along the West line of the SW ¼ of the SW ¼ of said Section Thirty-two (32); thence South 89° 12' 48" East 66.41 feet to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 01° 40' 47" East 254.00 feet along said existing Easterly right of way line; thence South 11° 23' 31" East 96.50 feet; thence South 02° 48' 45" West 50.01 feet; thence South 12° 24' 18" West 111.96 feet to the Point of Beginning, containing 0.07 acres more or less.

Note: The West line of the SW ¼ of the SW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear North 00° 47' 12" East.

**Parcel B**

A parcel of land located in the SW ¼ of the SW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A1 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the W ¼ corner of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence South 00° 47' 12" West 1538.67 feet along the West line of the SW ¼ of said Section Thirty-two (32); thence South 89° 12' 48" East 76.87 feet to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 07° 27' 22" East 272.50 feet; thence South 09° 11' 42" West 288.15 feet to said existing Easterly right of way line; thence North 01° 06' 12" East 554.76 feet along said existing Easterly right of way line to the Point of Beginning, containing 0.26 acres more or less.

Note: The West line of the SW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 47' 12" West.

**Parcel C**

A parcel of land located in the NW ¼ of the SW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A2 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the W ¼ corner of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence South 00° 47' 12" West 267.67 feet along the West line of the NW ¼ of the SW ¼ of said Section Thirty-two (32); thence South 89° 12' 48" East 77.69 feet to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 02° 20' 42" East 363.53 feet; thence South 08° 06' 16" West 226.86 feet; thence South 01° 33' 01" East 347.28 feet; thence South 02° 59' 47" West 123.79 feet to the South line of said NW ¼ of the SW ¼; thence South 89° 05' 35" West 45.06 feet along the South line of said NW ¼ of the SW ¼ to the existing Easterly right of way line of Iowa Highway 13; thence North 00° 47' 12" East 645.03 feet along said existing Easterly right of way line; thence continuing along said existing Easterly right of way line South 89° 12' 48" East 44.83 feet; thence continuing along said existing Easterly right of way line North 00° 46' 04" East 415.00 feet to the Point of Beginning, containing 0.76 acres more or less.

Note: The West line of the NW ¼ of the SW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 47' 12" West.

**Parcel D**

A parcel of land located in the NE ¼ of the SE ¼ of Section Thirty-one (31), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A2 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the W ¼ corner of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence South 00° 47' 12" West 456.73 feet along the East line of the NE ¼ of the SE ¼ of said Section Thirty-one (31); thence North 89° 12' 48" West 62.25 feet to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 00° 46' 04" West 760.00 feet along said existing Westerly right of way line; thence North 12° 56' 04" West 51.46 feet; thence North 00° 38' 24" East 477.00 feet; thence North 04° 01' 22" East 233.38 feet to the Point of Beginning, containing 0.18 acres more or less.

Note: The East line of the NE ¼ of the SE ¼ of Section Thirty-one (31), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 47' 12" West.

Parcel E

A parcel of land located in the NW ¼ of the SW ¼ and the SW ¼ of the NW ¼, all in Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A3 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northwest corner of the SW ¼ of the NW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence North 86° 55' 38" East 78.58 feet along the North line of the SW ¼ of the NW ¼ of said Section Thirty-two (32) to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along the North line of said SW ¼ of the NW ¼ North 86° 55' 38" East 17.71 feet; thence South 01° 07' 04" West 1121.96 feet; thence South 02° 20' 57" West 385.15 feet to said existing Easterly right of way line; thence North 00° 46' 04" East 168.05 feet along said existing Easterly right of way line; thence continuing along said existing Easterly right of way line North 00° 45' 35" East 1337.71 feet to the Point of Beginning, containing 0.41 acres more or less.

Note: The North line of the SW ¼ of the NW ¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear North 86° 55' 38" East.

This easement, and a certain Easement to Delaware County, Iowa, executed by the above named grantor is given in fulfillment of a certain Purchase Agreement dated September 5th, 2023, and recorded in the Delaware County Recorder's Office on September 7th, 2023, at Book 2023, Page 2200, as Document No. \_\_\_\_\_, except for those terms that survive the execution of this document.

The additional amount of \$ 11,200.00, as agreed to by the aforesaid Agreement, is paid as severance damages to the remaining property.

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.

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 August 21, 2023.

Steven K. Jones

(Sign in Ink)

Steven K. Jones  
As Executor in the above entitled  
estate or cause.

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on August 21, 2023, by Steven K. Jones, Executor of the Estate of Arlene T. Jones.



Zach D. Engstrom

(Sign in Ink)

Notary Public.

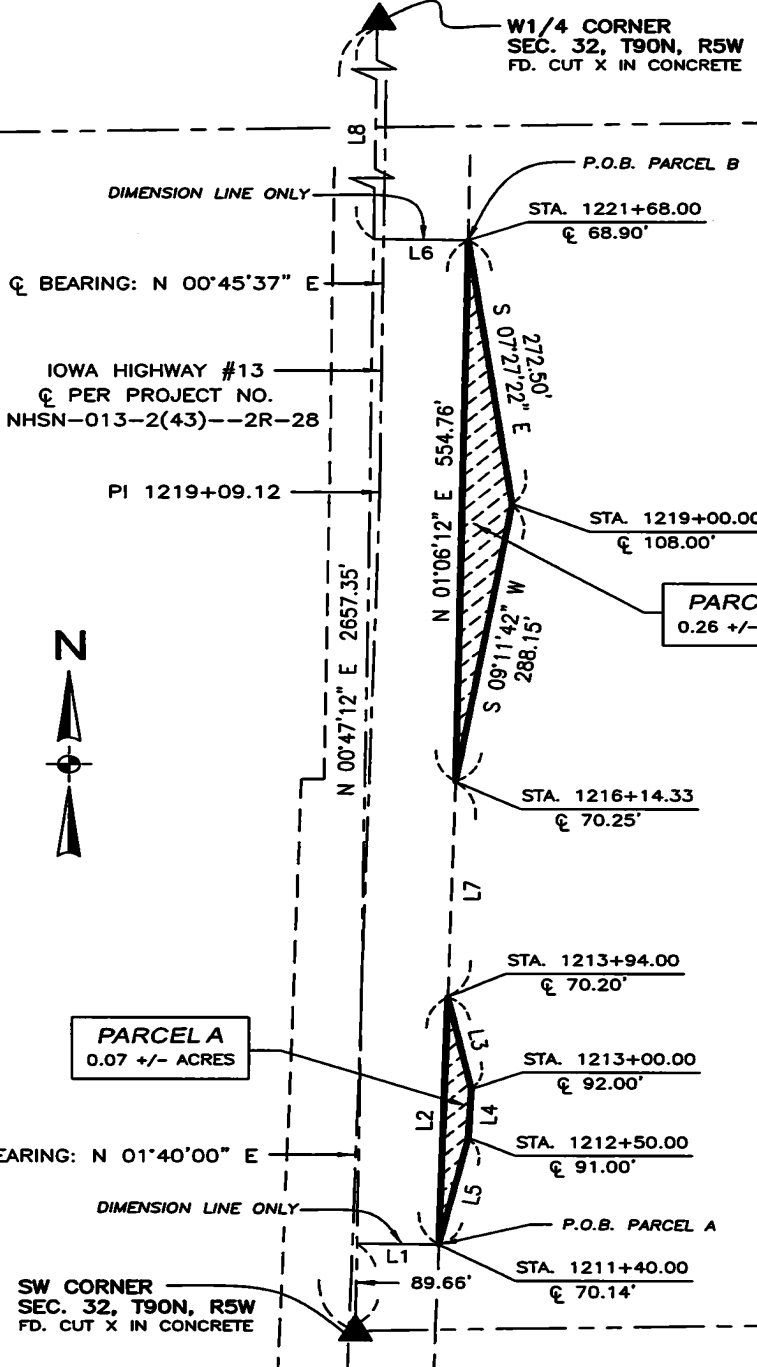
(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

ACQUISITION PLAT  
EXHIBIT "A1 OF 3"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 34  
 SECTION 32 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE 0.33 +/- 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	S 89°12'48" E	66.41'
L2	N 01°40'47" E	254.00'
L3	S 11°23'31" E	96.50'
L4	S 02°48'45" W	50.01'
L5	S 12°24'18" W	111.96'
L6	S 89°12'48" E	76.87'
L7	N 01°40'47" E	220.33'
L8	S 00°47'12" W	1538.67'

SW1/4 SW1/4  
SEC. 32, T90N, R5W

LEGEND

- CENTERLINE
- - - R.O.W. LINE
- - - SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- ( ) RECORDED AS
- P.O.B. 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 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

DATE DRAWN: 7/29/2022  
DATE REVISED: 5/31/2023

SCALE: 1" = 150'



Iowa Department of Transportation

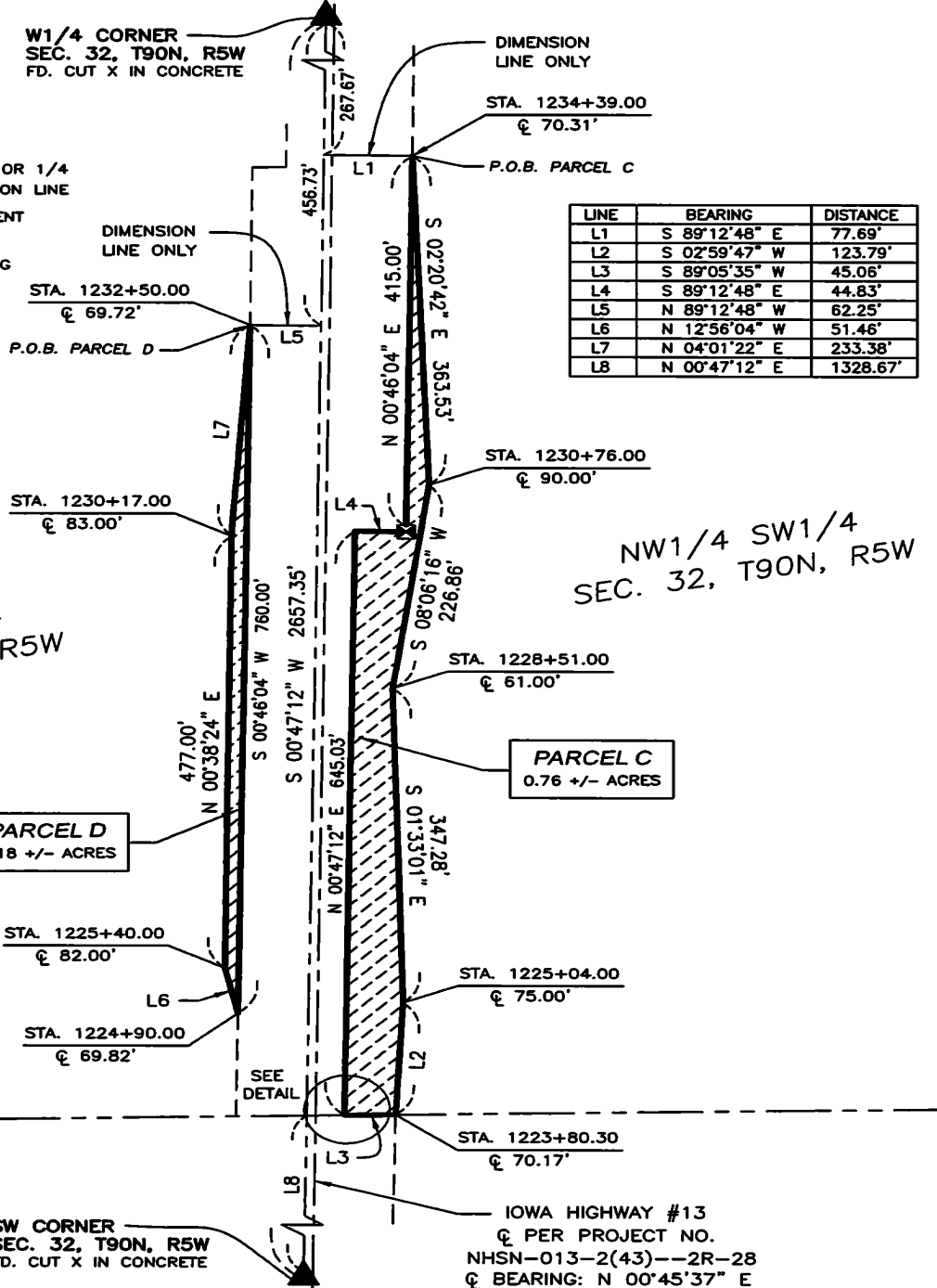
ACQUISITION PLAT  
EXHIBIT "A2 OF 3"



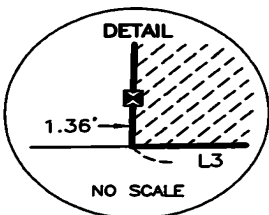
COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 34  
 SECTION 31 AND 32 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE 0.94 +/- AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED FROM \_\_\_\_\_

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.
- POINT OF BEGINNING



LINE	BEARING	DISTANCE
L1	S 89°12'48" E	77.69'
L2	S 02°59'47" W	123.79'
L3	S 89°05'35" W	45.06'
L4	S 89°12'48" E	44.83'
L5	N 89°12'48" W	62.25'
L6	N 12°56'04" W	51.46'
L7	N 04°01'22" E	233.38'
L8	N 00°47'12" E	1328.67'



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.

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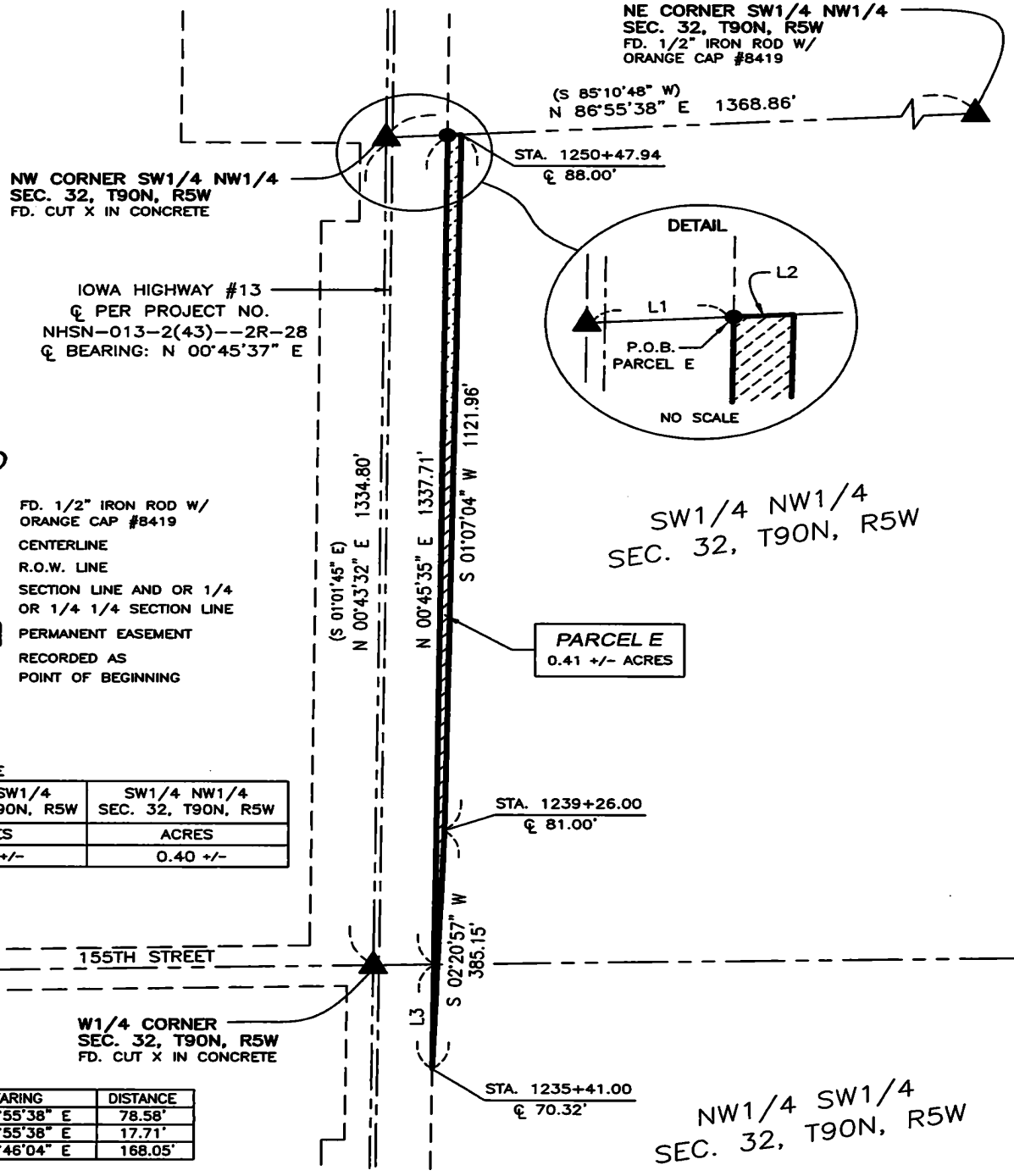
DATE DRAWN: 7/29/2022  
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Iowa Department of Transportation

ACQUISITION PLAT  
EXHIBIT "A3 OF 3"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 34  
 SECTION 32 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE 0.41 +/- AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED FROM \_\_\_\_\_



**LEGEND**

- FD. 1/2" IRON ROD W/  
ORANGE CAP #8419
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4  
OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- ( ) RECORDED AS
- P.O.B. POINT OF BEGINNING

**ACREAGE SUMMARY TABLE**

PARCEL 34 TRACT E	NW1/4 SW1/4 SEC. 32, T90N, R5W	SW1/4 NW1/4 SEC. 32, T90N, R5W
	ACRES	ACRES
	0.01 +/-	0.40 +/-

LINE	BEARING	DISTANCE
L1	N 86°55'38" E	78.58'
L2	N 86°55'38" E	17.71'
L3	N 00°46'04" E	168.05'



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  
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DATE DRAWN: 7/29/2022  
DATE REVISED: 5/31/2023

SCALE: 1" = 200'

