

Recorded: 9/26/2023 at 12:39:05.0 PM
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: 2418



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 Three Thousand Three Hundred Sixty Six AND NO/100—(\$ 3,366.00)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **STEVEN K. JONES AND DENIESE M. JONES, 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 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 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 E $\frac{1}{4}$ 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° 43' 32" East 264.34 feet along the East line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section Thirty-one (31); thence North 89° 16' 29" West 82.24 feet to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 00° 45' 35" West 233.82 feet along said existing Westerly right of way line to the Northerly right of way line of 155th Street; thence South 88° 59' 44" West 10.35 feet along said existing Northerly right of way line of 155th Street; thence North 01° 41' 55" East 183.16 feet; thence North 08° 56' 59" East 51.53 feet to the Point of Beginning, containing 0.04 acres more or less.

Note: The East line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 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° 43' 32" East.

AND

Parcel B

A parcel of land located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 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 Northeast corner of the SE¼ of the NE¼ 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° 43' 32" West 135.92 feet along the East line of the SE¼ of the NE¼ of said Section Thirty-one (31); thence North 89° 16' 29" West 33.00 feet to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 89° 14' 25" West 48.68 feet along said existing Westerly right of way line; thence North 00° 36' 34" East 126.56 feet to said existing Westerly right of way line; thence South 89° 45' 22" East 48.94 feet along said existing Westerly right of way line; thence continuing along said existing Westerly right of way line South 00° 43' 32" West 127.00 feet to the Point of Beginning, containing 0.14 acres more or less.

Note: The East line of the SE¼ of the NE¼ 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° 43' 32" West.

This easement and a certain Easement to Delaware County, Iowa 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 2199, as Document No. _____, except for those terms that survive the execution of this document.

The additional amount of \$ 0.00, 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 August 21, 2023

Steven K. Jones (Sign in Ink)
Steven K. Jones

Deniese M. Jones (Sign in Ink)
Deniese M. Jones

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on August 21, 2023,
by Steven K. Jones and Deniese M. Jones.



Zach D. Engstrom (Sign in Ink)
Notary Public.

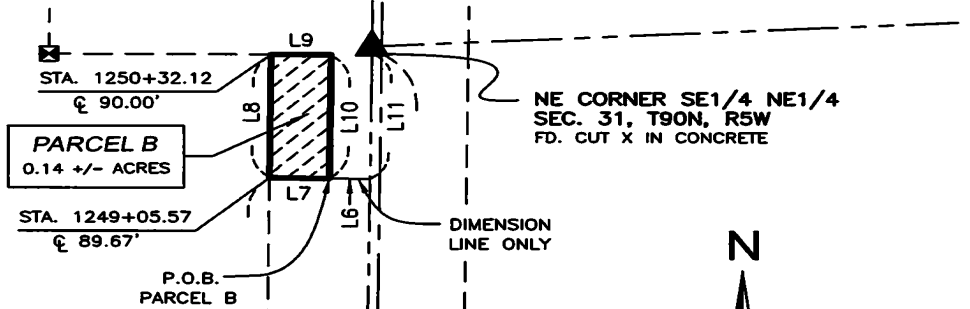
(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 37
 SECTION 31 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.18 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____

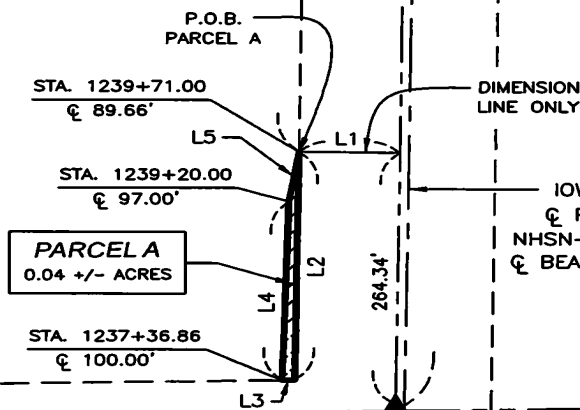


LINE	BEARING	DISTANCE
L1	N 89°16'29" W	82.24'
L2	S 00°45'35" W	233.82'
L3	S 88°59'44" W	10.35'
L4	N 01°41'55" E	183.16'
L5	N 08°56'59" E	51.53'
L6	N 89°16'29" W	33.00'
L7	N 89°14'25" W	48.68'
L8	N 00°36'34" E	126.56'
L9	S 89°45'22" E	48.94'
L10	S 00°43'32" W	127.00'
L11	S 00°43'32" W	135.92'

SE1/4 NE1/4
SEC. 31, T90N, R5W

LEGEND

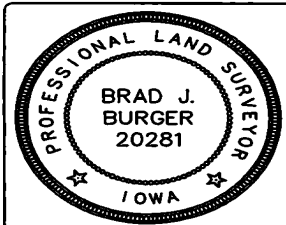
- FD. R.O.W. RAIL
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- RECORDED AS P.O.B.
- POINT OF BEGINNING



155TH STREET

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

DATE DRAWN: 8/12/2022
 DATE REVISED: 5/31/2023
 SCALE: 1" = 150'



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 sect: This page only