

Recorded: 9/26/2023 at 12:39:06.0 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: 2419



Prepared by & Return To: Stacia L. Turner, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1269
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 Sixteen Thousand Five Hundred Sixty AND NO/100—(\$ 16,560.00)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, LAVERN A. KELCHEN and AMY KELCHEN, HUSBAND and WIFE and JEFFREY F. KELCHEN and DAWN KELCHEN, 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 Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., 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 Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa; thence South 89° 57' 48" West 61.15 feet along the North line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of said Section Eighteen (18) to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 02° 14' 20" West 1318.00 feet along said existing Westerly right of way line; thence continuing along said existing Westerly right of way line South 89° 59' 07" East 29.56 feet; thence continuing along said existing Westerly right of way line South 02° 10' 35" West 13.35 feet to the South line of said Northeast Quarter (NE¼) of the Northeast Quarter (NE¼); thence South 89° 40' 51" West 91.76 feet along the South line of said Northeast Quarter (NE¼) of the Northeast Quarter (NE¼); thence North 09° 03' 08" East 387.66 feet; thence North 00° 55' 56" East 790.21 feet; thence North 04° 24' 31" East 158.36 feet to the North line of said Northeast Quarter (NE¼) of the Northeast Quarter (NE¼); thence North 89° 57' 48" East 28.17 feet along the North line of said Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) to the Point of Beginning, containing 0.92 acres more or less.

Note: The East line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Eighteen (18), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, Iowa is assumed to bear South 02° 10' 35" West.

This easement is given in fulfillment of a certain Purchase Agreement dated July 24, 2023, and recorded in the Delaware County Recorder's Office on July 27, 2023, at Book 2023, Page 1756, as Document No. _____, except for those terms that survive the execution of this document.

The additional amount of \$ 3,876.00, 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 6-9-2023, 2023

Lavern A. Kelchen (Sign in Ink)
LAVERN A. KELCHEN

Amy Kelchen (Sign in Ink)
AMY KELCHEN

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 26, 2023, by Lavern A. Kelchen and Amy Kelchen.



[Signature] (Sign in Ink)
Notary Public.

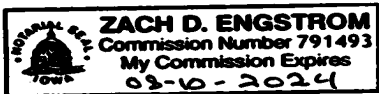
(AFFIX NOTARIAL SEAL ABOVE ▲)

Jeffrey F. Kelchen (Sign in Ink)
JEFFREY F. KELCHEN

Dawn Kelchen (Sign in Ink)
DAWN KELCHEN

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 26, 2023,
by Jeffrey F. Kelchen and Dawn Kelchen.



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. 55
 SECTION 18 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.92 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM LAVERN A. KELCHEN & AMY KELCHEN, husband & wife; JEFFREY F. KELCHEN & DAWN KELCHEN, husband & wife

LOCATION	NEW R.O.W.
THE NE 1/4 NE 1/4	0.92 AC. ±
TOTAL	0.92 AC. ±

EXISTING WESTERLY
ROW LINE IA 13

P.O.B.

PC STA.
1423+24.57

NORTH LINE NE 1/4 NE 1/4 SECTION 18, T90N, R5W

T2116

NE CORNER
SECTION 18, T90N, R5W
FOUND CUT "X"
BOOK 2020, PAGE 4682

T2151

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

NE CORNER TO
E 1/4 CORNER
BEARING/DISTANCE
S 02° 10' 35" W
2662.31'

POINT	STATION	OFFSET
T2116	1422+91.25	89.00'
T2151	1421+33.00	95.00'
T2152	1413+43.00	77.00'
T2153	1409+58.07	123.00'

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

COURSE	BEARING	DISTANCE
A	S 89° 57' 48" W	61.15'
B	S 02° 14' 20" W	1318.00'
C	S 89° 59' 07" E	29.56'
D	S 02° 10' 35" W	13.35'
E	S 89° 40' 51" W	91.76'
F	N 09° 03' 08" E	387.66'
G	N 00° 55' 56" E	790.21'
H	N 04° 24' 31" E	158.36'
I	N 89° 57' 48" E	28.17'

COURSE	BEARING	DISTANCE
POT 1369+76.42		
TO	N 02° 14' 14" E	5348.15'
P.C. 1423+24.57		

SOUTH LINE NE 1/4 NE 1/4 SECTION 18, T90N, R5W

T2152

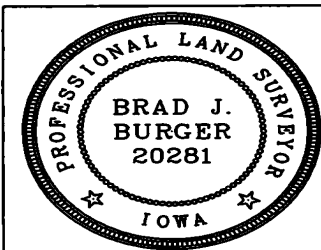
EAST LINE NE 1/4 NE 1/4
SECTION 18, T90N, R5W

T2153

EAST 1/4 CORNER
SECTION 18, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4682

POT STA.
1369+76.42

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

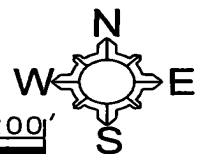


I hereby certify that this land surveying document was prepared and related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Brad J. Burger 11/16/2022
 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

LEGEND

- R.O.W. LINE
- - - SECTION LINE AND OR 1/4 SECTION LINE
- () RECORDED AS
- P.O.B. POINT OF BEGINNING
- PERMANENT EASEMENT
- REVISION
- DATE DRAWN: 11/05/2022 DCF



1" = 200'