

Recorded: 9/28/2023 at 9:15:06.0 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: 2434



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 (Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010)

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of NINE THOUSAND THREE HUNDRED TWELVE AND NO/100---(\$9,312.00)----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **DANIEL R. RIES**, a single person, 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:

A parcel of land located in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Five (5), Township Eighty-nine North (T89N), 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 Southwest corner of Section Five (5), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence North 89° 35' 23" East 166.36 feet along the South line of the Southwest Quarter (SW1/4) of said Section Five (5) to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence along said existing Easterly right of way line and along a circular curve concave Easterly for an arc length of 576.88 feet, said circular curve having a central angle of 24° 05' 30", a radius of 1371.95 feet, a chord bearing of North 10° 08' 55" West and a chord length of 572.64 feet; thence continuing along said existing Easterly right of way line North 01° 44' 37" East 483.79 feet to a Southerly corner of Parcel G as recorded in Book 2009, Page 1265 in the Office of the Delaware County Recorder; thence North 89° 52' 46" East 8.28 feet along a Southerly line of said Parcel G; thence South 02° 02' 33" East 395.78 feet; thence South 08° 35' 21" West 138.26 feet; thence South 01° 02' 06" East 203.56 feet; thence South 15° 18' 42" East 177.08 feet; thence South 27° 05' 11" East 157.73 feet to the South line of said Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence South 89° 35' 23" West 37.82 feet along the South line of said Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) to the Point of Beginning, containing 0.48 acres more or less.

Note: The South line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Five (5), Township Eighty-nine North (T89N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear North 89° 35' 23" East.

This easement is given in fulfillment of a certain Purchase Agreement dated August 21, 2023 and recorded in the Delaware County Recorder's Office on August 23, 2023, at Book 2023, Page 2018, except for those terms that survive the execution of this document.

The additional amount of \$290.00, 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.

Delaware County Project No. NHSN-013-2(43)--2R-28
NHSN-013-2(43)--2R-28 (Parcel No. 26)

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 19, 2023

Daniel R. Ries (Sign in Ink)
Daniel R. Ries

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 19, 2023 by Daniel R. Ries.



[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. 26
 SECTION 5 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.48 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____

NW CORNER SW1/4 SW1/4
 SEC. 5, T89N, R5W
 FD CUT X IN CONCRETE

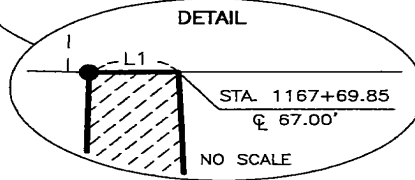
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	576.88'	1371.95'	24°05'30"	N 10°08'55" W	572.64'



PARCEL G
 IN THE SW1/4 SW1/4
 SEC. 5, T89N, R5W
 BOOK 2009, PAGE 1265

(S 88°16'07" W 487.36')
 N 89°52'46" E 487.47'

STA. 1167+69.85
 ☉ 67.00'



IOWA HIGHWAY #13
 ☉ PER PROJECT NO.
 NHSN-013-2(43)-2R-28
 ☉ BEARING: N 01°52'09" E

(N 00°00'00" E 1332.53')
 N 01°36'42" E 1332.36'

N 01°44'37" E 483.79'
 S 02°02'33" E 395.78'

STA. 1163+75.00
 ☉ 94.00'

LINE	BEARING	DISTANCE
L1	N 89°52'46" E (S 88°16'07" W)	8.28'
L2	S 08°35'21" W	138.26'
L3	S 01°02'06" E	203.56'
L4	S 15°18'42" E	177.08'
L5	S 27°05'11" E	157.73'

PT 1162+84.87

PART OF THE SW1/4 SW1/4
 SEC. 5, T89N, R5W

☉ CURVE DATA:
 PC: 1152+79.17
 PT: 1162+84.87
 L: 1005.70'
 R: 1432.50'
 Δ: 40°13'30"
 CH BRG: N 18°14'36" W
 CH: 985.17'

SW CORNER
 SEC. 5, T89N, R5W
 FD. 1/2" IRON ROD
 WITH NO CAP

STA. 1160+21.00
 ☉ 65.00'

STA. 1162+35.00
 ☉ 77.00'

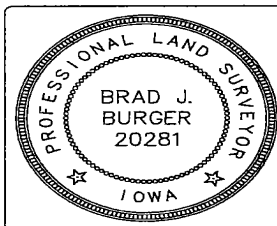
STA. 1158+35.00
 ☉ 74.00'

STA. 1156+68.77
 ☉ 95.00'

LEGEND

- FD. 1/2" IRON ROD W/ YELLOW CAP #12642
- ⊙ 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 POINT OF BEGINNING

166.36' 37.82' 1120.16'
 P.O.B. N 89°35'23" E 1324.34'
 (S 88°33'53" E 1324.71')



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 8/10/2022
 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

SE CORNER SW1/4 SW1/4
 SEC. 5, T89N, R5W
 FD. 1/2" IRON ROD W/
 ORANGE CAP #8419

SCALE: 1" = 150'

