

Recorded: 10/3/2023 at 9:58:07.0 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: 2478



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 THREE THOUSAND THIRTY AND NO/100-----(\$3,030.00)----- DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **LEONORA B. MCCULLICK**, 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 Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) 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 Southwest Quarter (SW1/4) 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 02° 11' 18" East 478.52 feet along the East line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section Seventeen (17) to the Northeast corner of the South 29 rods of the North 58 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4); thence South 88° 17' 40" West 61.87 feet along the North line of the South 29 rods of the North 58 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 01° 55' 53" East 181.50 feet along said existing Westerly right of way line to the South line of the North 11 rods of the South 29 rods of the North 58 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4); thence South 88° 17' 40" West 16.84 feet along the South line of the North 11 rods of the South 29 rods of the North 58 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4); thence North 01° 06' 42" West 70.69 feet; thence North 09° 01' 55" East 31.58 feet; thence North 00° 40' 37" West 46.01 feet; thence North 10° 20' 04" West 34.18 feet to the North line of the South 29 rods of the North 58 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4); thence North 88° 17' 40" East 13.81 feet along the North line of the South 29 rods of the North 58 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) to the Point of Beginning, containing 0.05 acres more or less.

**Note:** The East line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) 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 02° 11' 18" East.

This easement is 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 1968, as Document No. \_\_\_\_\_, except for those terms that survive the execution of this document.

The additional amount of \$ 2,870.00, 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 July 11, 2023

Leonora B. McCullick (Sign in Ink)  
Leonora B. McCullick

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 21, 2023 by Leonora B. McCullick.



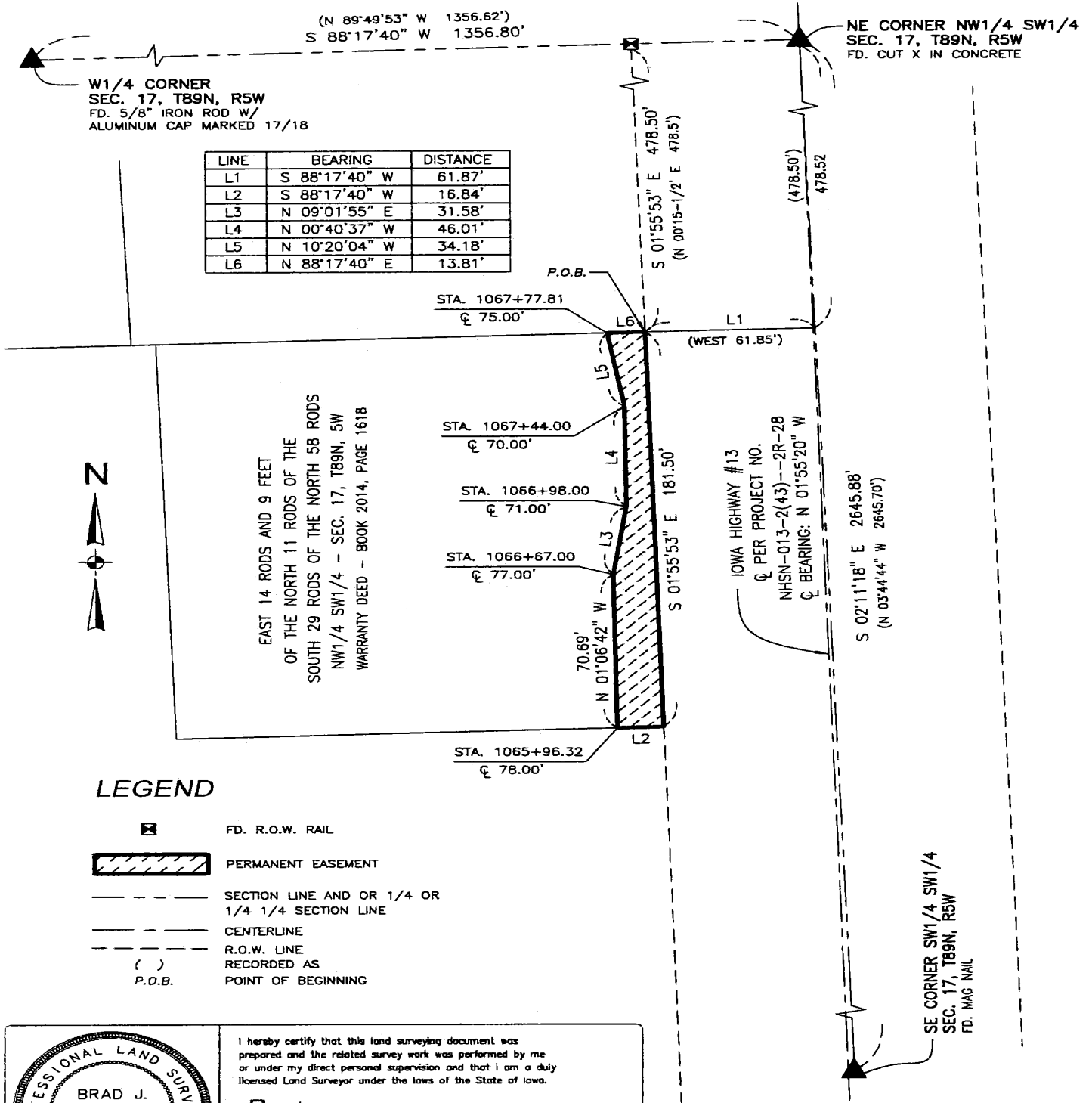
[Signature] (Sign in Ink)  
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation  
ACQUISITION PLAT  
EXHIBIT "A"

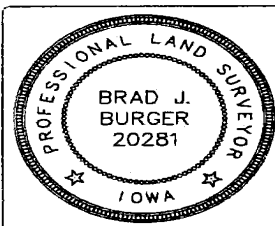


COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 11  
 SECTION 17 TOWNSHIP 89 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE 0.05 +/- AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE  
 ACQUIRED FROM \_\_\_\_\_



LEGEND

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



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

SCALE: 1" = 50'

