

Recorded: 10/5/2023 at 8:46:40.0 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: 2501



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 (Delaware County Engineer's Office, 2139 Highway 28, Manchester, IA 52057)

## EASEMENT FOR PUBLIC HIGHWAY

For the consideration of One hundred ninety-five AND NO/100-----(\$ 195.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **ERIC EDWARD HORN AND CAITLYN ANNE HORN**, husband and wife, do hereby grant to **DELAWARE COUNTY, 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 SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section Thirty (30), 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 "A", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southeast corner of Section Thirty (30), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence South 89° 11' 28" West 152.39 feet along the South line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section Thirty (30); thence North 00° 48' 32" West 61.33 feet to the existing Northly Right-of-Way line of County Road C64 and the Point of Beginning; thence North 80° 35' 27" East 73.65 feet; thence South 00° 50' 39" West 10.24 feet to said existing Northerly right of way line; thence South 88° 34' 46" West 72.53 feet along said existing Northerly right of way line to the Point of Beginning, containing 0.01 acres more or less.

**Note:** The South line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section Thirty (30), 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 89° 11' 28" West.

This easement, and a certain Easement to the State of Iowa, executed by the above named grantors is given in fulfillment of a certain Purchase Agreement dated August 14, 20 23, and recorded in the Delaware County Recorder's Office on August 22, 20 23, at Book 2023, Page 2005, as Document No. \_\_\_\_\_, except for those terms that survive the execution of this document.

The additional amount of \$ ---, 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).

Delaware County Project No. NHSN-013-2(43)—2R-28  
Eric Edward Horn, et ux (Parcel No. 37A)

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

*Eric Edward Horn* (Sign in Ink)  
Eric Edward Horn

*Caitlyn Anne Horn* (Sign in Ink)  
Caitlyn Anne Horn

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 11, 2023, by Eric Edward Horn and Caitlyn Anne Horn.



*[Signature]* (Sign in Ink)  
Notary Public.

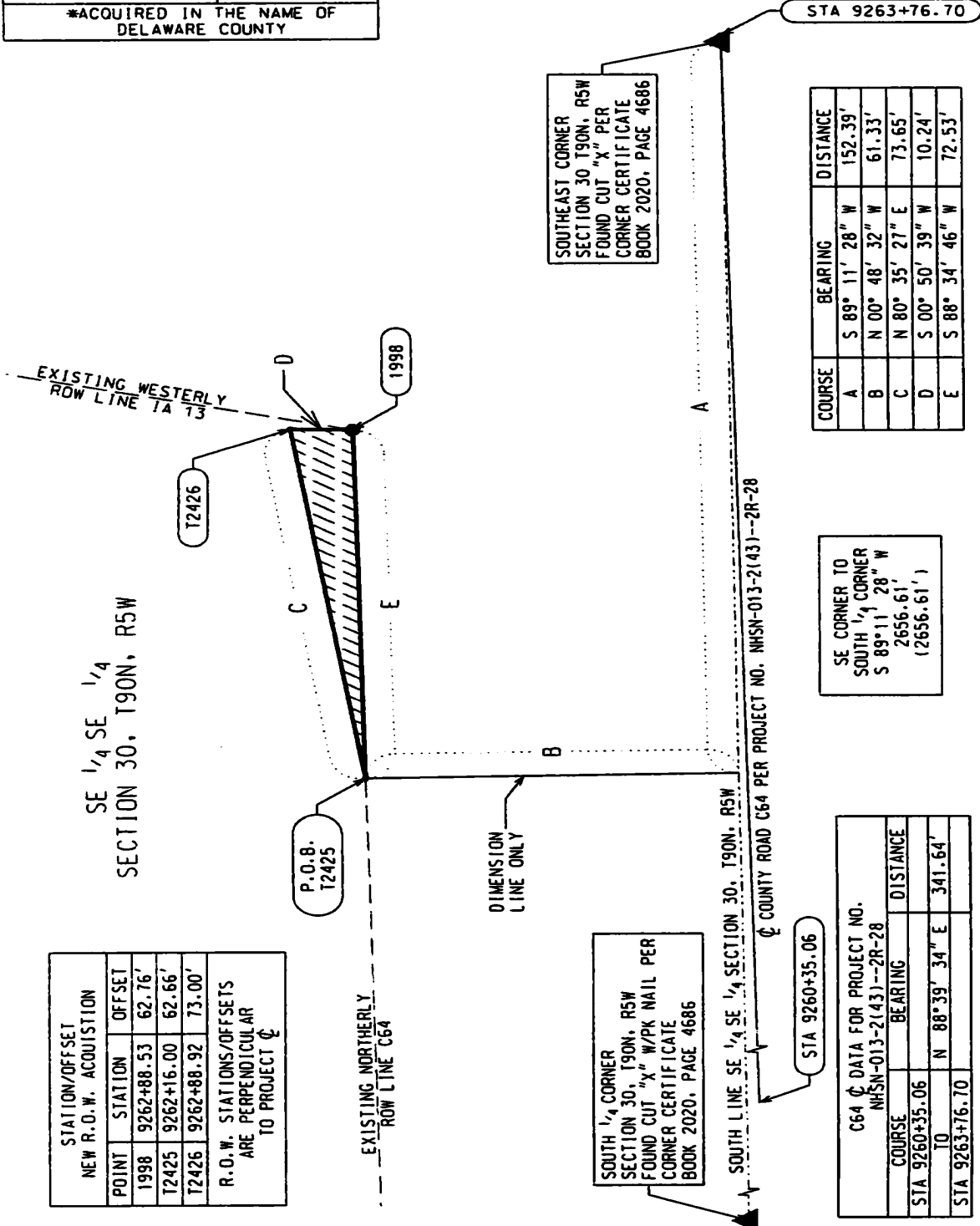
(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation  
ACQUISITION PLAT  
EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 37A  
 SECTION 30 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±. EASE \*0.01 AC ±. EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM \_\_\_\_\_

PARCEL 37A ACREAGE SUMMARY TABLE SECTION 30, T90N, R5W	
LOCATION	*NEW R.O.W.
SE 1/4 SE 1/4	0.01 AC. ±
TOTAL	0.01 AC. ±
*ACQUIRED IN THE NAME OF DELAWARE COUNTY	



SOUTHEAST CORNER  
SECTION 30 T90N, R5W  
FOUND CUT "X" PER  
CORNER CERTIFICATE  
BOOK 2020, PAGE 4686

COURSE	BEARING	DISTANCE
A	S 89° 11' 28" W	152.39'
B	N 00° 48' 32" W	61.33'
C	N 80° 35' 27" E	73.65'
D	S 00° 50' 39" W	10.24'
E	S 88° 34' 46" W	72.53'

SE CORNER TO  
SOUTH 1/4 CORNER  
S 89° 11' 28" W  
2656.61'  
(2656.61')

STATION/OFFSET NEW R.O.W. ACQUISITION	POINT	STATION	OFFSET
1998	9262+88.53	62.76'	
T2425	9262+16.00	62.66'	
T2426	9262+88.92	73.00'	
R.O.W. STATIONS/OFFSETS ARE PERPENDICULAR TO PROJECT C			

SOUTH 1/4 CORNER  
SECTION 30, T90N, R5W  
FOUND CUT "X" W/PK NAIL PER  
CORNER CERTIFICATE  
BOOK 2020, PAGE 4686

C64 C DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
STA 9260+35.06	N 88° 39' 34" E	341.64'
STA 9263+76.70		

LEGEND

- FOUND 3/4" REBAR W/1A00T ALUMINUM CAP
- SECTION LINE AND OR 1/4 SECTION LINE
- P.O.B. POINT OF BEGINNING
- RECORDED AS R.O.W. LINE
- ▨ PERMANENT EASEMENT



DATE DRAWN: 7/17/2022\_DCE

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* Date 7/12/2022  
 Brad J. Burger  
 License number 20281  
 My license renewal date is December 31, 2027  
 Pages or Sheets covered by this sheet: Sheet 1 of 1