

Recorded: 10/5/2023 at 8:46:41.0 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: 2502



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 Twenty-two thousand eight hundred fifteen AND NO/100—(\$ 22,815.00)—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 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 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 North 01° 05' 25" East 1326.94 feet along the East line and to the Northeast corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section Thirty (30); thence South 89° 10' 48" West 33.02 feet along the North line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 01° 05' 25" West 543.16 feet along said existing Westerly right of way line; thence North 88° 54' 35" West 13.27 feet along said existing Westerly right of way line; thence South 00° 43' 53" West 515.07 feet along said existing Westerly right of way line; thence South 11° 39' 24" West 211.79 feet along said existing Westerly right of way line to the existing Northerly right of way line of County Road C64; thence North 00° 50' 39" East 963.81 feet; thence North 03° 36' 40" East 301.58 feet to the North line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence North 89° 10' 48" East 39.78 feet along the North line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  to the Point of Beginning, containing 1.17 acres, more or less.

**Note:** The East 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 North 01° 05' 25" East.

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

The additional amount of \$ 710.00, 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

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"

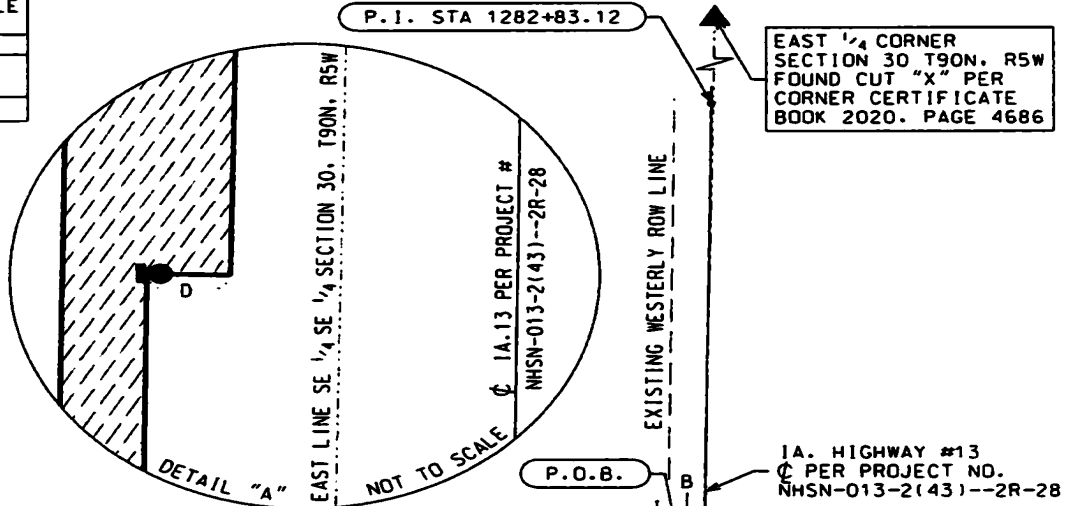


COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 37A  
 SECTION 30 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±. EASE 1.17 AC ±. EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM \_\_\_\_\_

PARCEL 37A ACREAGE SUMMARY TABLE SECTION 30. T90N. R5W	
LOCATION	NEW R.O.W.
SE 1/4 SE 1/4	1.17 AC. ±
TOTAL	1.17 AC. ±

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
1998	1264+36.19	90.41'
T2376	1277+01.21	74.00'
T2423	1274+00.00	89.00'

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



NORTH LINE SE 1/4 SE 1/4 SECTION 30. T90N. R5W

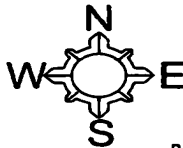
SE 1/4 SE 1/4  
SECTION 30. T90N. R5W

COURSE	BEARING	DISTANCE
A	N 01° 05' 25" E	1326.94'
B	S 89° 10' 48" W	33.02'
C	S 01° 05' 25" W	543.16'
D	N 88° 54' 35" W	13.27'
E	S 00° 43' 53" W	515.07'
F	S 11° 39' 24" W	211.79'
G	N 00° 50' 39" E	963.81'
H	N 03° 36' 40" E	301.58'
I	N 89° 10' 48" E	39.78'

IA 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
STA 1263+76.70		
TO	N 00° 45' 37" E	1906.42'
STA 1282+83.12		

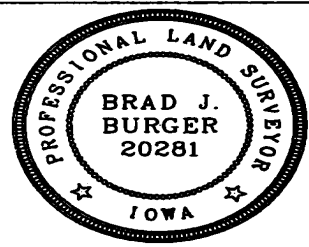
LEGEND

- FOUND 3/8" REBAR W/ IADOT ALUMINUM CAP
- FOUND ROW RAIL
- SECTION LINE AND OR 1/4 SECTION LINE
- P.O.B. POINT OF BEGINNING
- ( ) RECORDED AS
- R.O.W. LINE
- ▨ PERMANENT EASEMENT



1" = 200'

DATE DRAWN: 7/17/2022 DCF



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* 8/12/2022  
 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

