

Recorded: 10/16/2023 at 2:00:48.0 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: 2578



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 Two Thousand Five Hundred Thirty Four AND NO/100—(\$ 2,534.00)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **STEVEN B. SCHMOCK AND ROSE M. SCHMOCK, 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:

Parcel A

A parcel of land located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, also being part of Parcel B as recorded in Book 2012, Page 3782 in the office of the Delaware County Recorder, 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 W $\frac{1}{4}$ corner of said Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence North 85° 04' 06" East 61.25 feet along the South line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section Twenty-nine (29), also being the South line of Parcel B as recorded in Book 2012, Page 3782 in the Office of the Delaware County Recorder to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 03° 49' 45" West 214.02 feet along said existing Easterly right of way line; thence South 27° 24' 57" East 71.86 feet; thence South 02° 06' 44" West 148.70 feet to the South line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the South line of said Parcel B; thence South 85° 04' 06" West 13.37 feet along said South line to the Point of Beginning, containing 0.09 acres more or less.

AND

Parcel B

A parcel of land located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, also being part of Parcel B as recorded in Book 2012, Page 3782 in the office of the Delaware County Recorder, 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 Northwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence South

01° 06' 03" West 464.52 feet along the West line of the SW¼ of the NW ¼ of said Section Twenty-nine (29) to the Northwest corner of Parcel B as recorded in Book 2012, Page 3782 in the Office of the Delaware County Recorder; thence South 87° 56' 48" East 64.57 feet along the North line of said Parcel B to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along the North line of said Parcel B South 87° 56' 48" East 15.24 feet; thence South 02° 11' 49" West 134.03 feet; thence South 13° 47' 58" West 61.45 feet to said existing Easterly right of way line; thence North 01° 20' 52" East 194.20 feet along said existing Easterly right of way line to the Point of Beginning, containing 0.05 acres more or less.

Note: The West line of the SW ¼ of the NW ¼ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear South 01° 06' 03" West.

This easement is given in fulfillment of a certain Purchase Agreement dated August 28, 2023, and recorded in the Delaware County Recorder's Office on August 30, 2023, at Book 2023, Page 2110, as Document No. _____, except for those terms that survive the execution of this document.

The additional amount of \$ 8,324.00, 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 8-10- _____, 2023

Steven Schmock (Sign in Ink)
Steven B. Schmock

Rose M. Schmock (Sign in Ink)
Rose M. Schmock

STATE OF Iowa _____, COUNTY OF Delaware _____, ss:

This instrument was acknowledged before me on August 10 _____, 2023,
by Steven B. Schmock and Rose M. Schmock.



[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. 41
 SECTION 29 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.14 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM _____

PARCEL 41 ACREAGE SUMMARY TABLE
SECTION 29, T90N, R5W

PLAT OF SURVEY PARCEL	PART OF	NEW R.O.W.
PARCEL "B" IN THE S 1/2 NW 1/4	SW 1/4 NW 1/4	0.14 AC. ±
ACQUISITION TOTAL ACREAGE		0.14 AC. ±

P.I. STA 1312+93.12

NW CORNER SW 1/4 NW 1/4 SECTION 29, T90N, R5W FOUND CUT "X" PER CORNER CERTIFICATE BOOK 2020, PAGE 4685

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

NORTH LINE SW 1/4 NW 1/4 SECTION 29, T90N, R5W

SW 1/4 NW 1/4 SECTION 29, T90N, R5W

STATION/OFFSET
NEW R.O.W. ACQUISITION

POINT	STATION	OFFSET
T2344	1298+94.01	75.00'
T2351	1291+87.00	75.00'
T2354	1297+60.00	73.00'
T2355	1290+38.31	73.00'
T2356	1292+50.00	40.43'
T2357	1297+00.00	59.74'

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

NW CORNER SW 1/4 NW 1/4 TO WEST 1/4 CORNER S 01°06' 03" W 1329.37' (1329.37')

FOUND CUT "X" IS 0.90'E OF SECTION LINE

PARCE "B" 0.05 ACRES ±

PARCEL "B" IN THE S 1/2 NW 1/4 SECTION 29, T90N, R5W BOOK 2012, PAGE 3782

COURSE	BEARING	DISTANCE	(RECORD)
A	N 85° 04' 06" E	61.25'	
B	N 03° 49' 45" W	214.02'	
C	S 27° 24' 57" E	71.86'	
D	S 02° 06' 44" W	148.70'	
E	S 85° 04' 06" W	13.37'	
F	S 01° 06' 03" W	464.52'	
G	S 87° 56' 48" E	64.57'	(64.84')
H	S 87° 56' 48" E	15.24'	
I	S 02° 11' 49" W	134.03'	
J	S 13° 47' 58" W	61.45'	
K	N 01° 20' 52" E	194.20'	
L	S 87° 56' 48" E	406.42'	

WEST LINE SW 1/4 NW 1/4 SECTION 29, T90N, R5W

EXISTING EASTERLY ROW LINE IA 13

PARCEL "A" 0.09 ACRES ±

WEST 1/4 CORNER SECTION 29 T90N, R5W FOUND CUT "X" PER CORNER CERTIFICATE BOOK 2020, PAGE 4685

FOUND RAIL IS 0.84' NORTHERLY OF P.O.B.

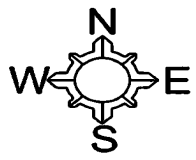
SOUTH LINE PARCEL "B" & SOUTH LINE SW 1/4 NW 1/4 SECTION 29, T90N, R5W

IA 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28

COURSE	BEARING	DISTANCE
STA 1282+83.12 TO	N 01°20' 30" E	3010.00'
STA 1312+93.12		

LEGEND

- FOUND ROW RAIL
- - - R.O.W. LINE
- FOUND 1/2" REBAR W/RED CAP STAMPED "LST060"
- - - SECTION LINE AND OR 1/4 1/4 SECTION LINE
- × FOUND CUT "X"
- () RECORDED AS
- FOUND 1/2" REBAR W/NO CAP
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT



DATE DRAWN: 7/07/2022 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 8/18/2022
 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