

Recorded: 11/6/2023 at 8:56:09.0 AM
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: 2784



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 TWELVE THOUSAND NINE HUNDRED TWENTY AND NO/100-----(\$12,920.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **CHAD JOSEPH HOLTZ AND JACKIE ANN HOLTZ**, 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 Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Seventeen (17), Township Ninety North (T90N), Range Five West (R5W) of the of the Fifth 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 Seventeen (17), Township Ninety North (T90N) , Range Five West (R5W) of the of the Fifth Principal Meridian, Delaware County, Iowa; thence North 02° 10' 35" East 699.45 feet along the West line of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Seventeen (17); thence South 87° 49' 25" East 26.87 feet to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 28° 29' 42" East 48.86 feet; thence South 08° 57' 58" East 211.02 feet; thence South 20° 59' 46" West 55.97 feet; thence South 01° 45' 42" West 361.40 feet to the existing Northerly right of way line of 130th Street; thence South 89° 57' 49" West 24.01 feet along said existing Northerly right of way line to said existing Easterly right of way line of Iowa Highway 13; thence North 02° 14' 20" East 439.86 feet along said existing Easterly right of way line; thence continuing along said existing Easterly right of way line North 12° 52' 14" West 103.58 feet; thence continuing along said existing Easterly right of way line North 02° 14' 20" East 124.48 feet to the Point of Beginning, containing 0.41 acres more or less.

AND

Parcel B

A parcel of land located in the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Seventeen (17), Township Ninety North (T90N),

Delaware County Project No. NHSN-013-2(43)--2R-28
Chad Joseph Holtz (Parcel No. 50)

Range Five West (R5W) of the of the Fifth 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 Seventeen (17), Township Ninety North (T90N), Range Five West (R5W) of the of the Fifth Principal Meridian, Delaware County, Iowa; thence North 02° 10' 35" East 1057.45 feet along the West line of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Seventeen (17); thence South 87° 49' 25" East 27.26 feet to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 02° 14' 20" East 273.47 feet along said existing Easterly right of way line to the North line of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼); thence North 87° 06' 47" East 56.18 feet along the North line of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼); thence South 05° 59' 21" West 213.95 feet; thence South 35° 04' 52" West 77.37 feet to the Point of Beginning, containing 0.27 acres more or less.

Note: The West line of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Seventeen (17), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear North 02° 10' 35" East.

This easement and a certain Easement for Public Highway to Delaware County, Iowa, executed by the above named grantors are given in fulfillment of a certain Purchase Agreement dated September 18, 2023 and recorded in the Delaware County Recorder's Office on September 20, 2023 at Book 2023, Page 2347, except for those terms that survive the execution of this document.

The additional amount of \$5,310.00, 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 August 21, 2023.

Chad Joseph Holtz (Sign in Ink)
Chad Joseph Holtz

Jackie Ann Holtz (Sign in Ink)
Jackie Ann Holtz

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on August 21, 2023,
by Chad Joseph Holtz and Jackie Ann Holtz.



Zach D. Engstrom (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

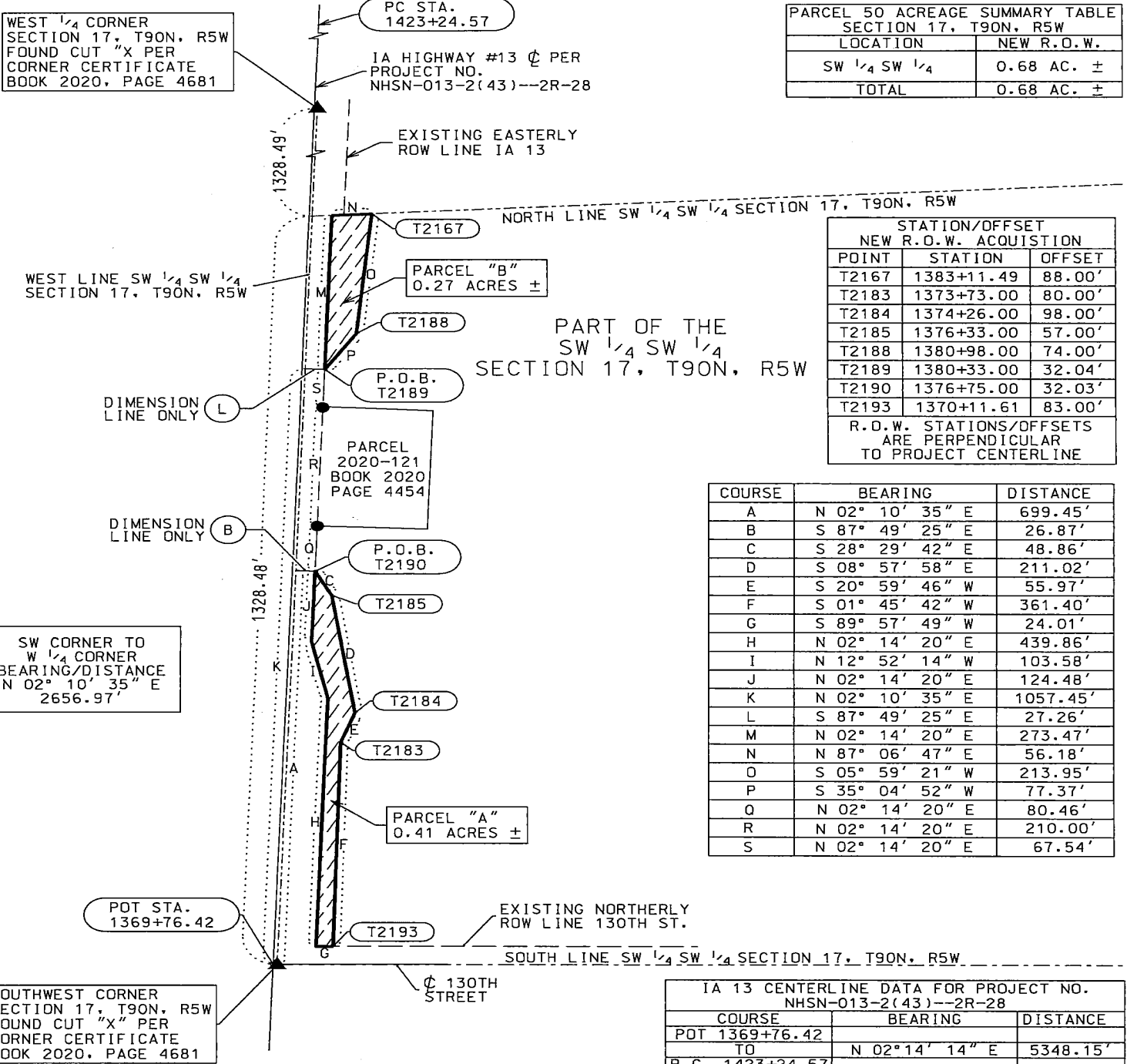
ACQUISITION PLAT
EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 50
 SECTION 17 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.68 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM _____

WEST 1/4 CORNER
SECTION 17, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4681

LOCATION	NEW R.O.W.
SW 1/4 SW 1/4	0.68 AC. ±
TOTAL	0.68 AC. ±



POINT	STATION	OFFSET
T2167	1383+11.49	88.00'
T2183	1373+73.00	80.00'
T2184	1374+26.00	98.00'
T2185	1376+33.00	57.00'
T2188	1380+98.00	74.00'
T2189	1380+33.00	32.04'
T2190	1376+75.00	32.03'
T2193	1370+11.61	83.00'

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

COURSE	BEARING	DISTANCE
A	N 02° 10' 35" E	699.45'
B	S 87° 49' 25" E	26.87'
C	S 28° 29' 42" E	48.86'
D	S 08° 57' 58" E	211.02'
E	S 20° 59' 46" W	55.97'
F	S 01° 45' 42" W	361.40'
G	S 89° 57' 49" W	24.01'
H	N 02° 14' 20" E	439.86'
I	N 12° 52' 14" W	103.58'
J	N 02° 14' 20" E	124.48'
K	N 02° 10' 35" E	1057.45'
L	S 87° 49' 25" E	27.26'
M	N 02° 14' 20" E	273.47'
N	N 87° 06' 47" E	56.18'
O	S 05° 59' 21" W	213.95'
P	S 35° 04' 52" W	77.37'
Q	N 02° 14' 20" E	80.46'
R	N 02° 14' 20" E	210.00'
S	N 02° 14' 20" E	67.54'

COURSE	BEARING	DISTANCE
POT 1369+76.42 TO	N 02° 14' 14" E	5348.15'
P.C. 1423+24.57		

SW CORNER TO
W 1/4 CORNER
BEARING/DISTANCE
N 02° 10' 35" E
2656.97'

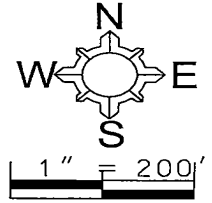
SOUTHWEST CORNER
SECTION 17, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4681



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 8/15/2022
 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

- LEGEND**
- R.O.W. LINE
 - - - SECTION LINE AND OR 1/4 1/4 SECTION LINE
 - () RECORDED AS
 - P.O.B. POINT OF BEGINNING
 - FOUND 1/2" REBAR W/ ORANGE CAP #17939
 - ▨ PERMANENT EASEMENT



DATE DRAWN: 6/12/2022 DCF