

Recorded: 12/19/2023 at 10:58:43.0 AM
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$20.00
Revenue Tax: \$0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 3164



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 Four thousand two hundred AND NO/100—(\$ 4,200.00)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **GERALD A. HEIMS AND CHERYL M. HEIMS, 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 Parcel A in the NW¼ of the NW¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) 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 the NW¼ of the NW¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence North 86° 55' 38" East 78.58 feet along the South line of the NW¼ of the NW¼ of said Section Thirty-two (32), also being the South line of Parcel A as recorded in Book 7, Page 152 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 00° 45' 35" East 854.39 feet along said existing Easterly right of way line to the Northerly line of said Parcel A; thence South 58° 00' 34" East 6.64 feet along the Northerly line of said Parcel A; thence South 01° 31' 48" West 297.73 feet; thence South 21° 37' 12" East 18.38 feet; thence South 00° 45' 37" West 460.00 feet; thence South 06° 04' 37" East 75.60 feet to the South line of said NW¼ of the Northwest Quarter (NW¼) and the South line of said Parcel A; thence South 86° 55' 38" West 17.71 feet along the South line of said NW¼ of the NW¼ and the South line of said Parcel A to the Point of Beginning, containing 0.14 acres, more or less.

Note: The West line of the NW¼ of the NW¼ of Section Thirty-two (32), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 43' 32" West.

This easement is given in fulfillment of a certain Purchase Agreement dated November 20, 2023, and recorded in the Delaware County Recorder's Office on November 28, 2023, at Book 2023, Page 2980, as Document No. _____, except for those terms that survive the execution of this document.

The additional amount of \$ 1,073.00, as agreed to by the aforesaid Agreement, Delaware County Project No. NHSN-013-2(43)-2R-28
Gerald A. Heims, et ux (Parcel No. 36)

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.

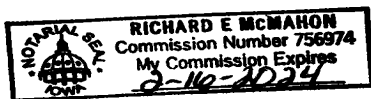
Dated October 24, 2023.

Gerald A. Heims (Sign in Ink)
Gerald A. Heims

Cheryl M. Heims (Sign in Ink)
Cheryl M. Heims

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on October 24, 2023, by Gerald A. Heims and Cheryl M. Heims.



Richard E. McMahon (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. 36
 SECTION 32 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.14 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM _____

NORTHWEST CORNER
SECTION 32 T90N. R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4687

P.O.T. STA 1263+76.23

EXISTING WESTERLY
ROW LINE IA 13

PARCEL 36 ACREAGE SUMMARY TABLE SECTION 32, T90N. R5W		
PLAT OF SURVEY PARCEL	PART OF	NEW R.O.W.
PARCEL "A"	NW 1/4 NW 1/4	0.14 AC. ±
ACQUISITION TOTAL ACREAGE		0.14 AC. ±

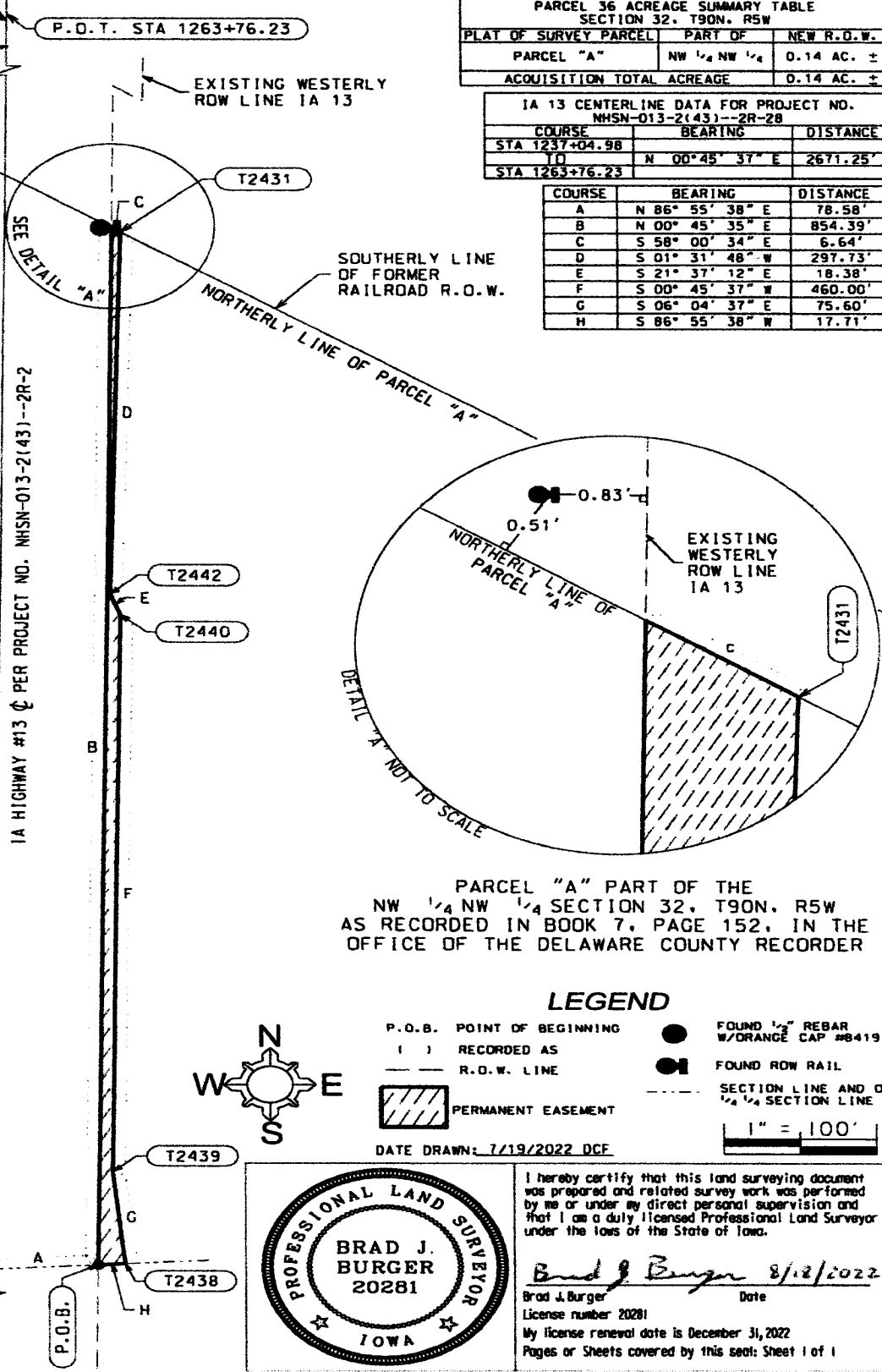
IA 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
STA 1237+04.98 TO	N 00° 45' 37" E	2671.25'
STA 1263+76.23		

COURSE	BEARING	DISTANCE
A	N 86° 55' 38" E	78.58'
B	N 00° 45' 35" E	854.39'
C	S 58° 00' 34" E	6.64'
D	S 01° 31' 48" W	297.73'
E	S 21° 37' 12" E	18.38'
F	S 00° 45' 37" W	460.00'
G	S 06° 04' 37" E	75.60'
H	S 86° 55' 38" W	17.71'

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
T2431	1258+97.70	76.00'
T2438	1250+47.94	88.00'
T2439	1251+23.00	79.00'
T2440	1255+83.00	79.00'
T2442	1256+00.00	72.00'

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

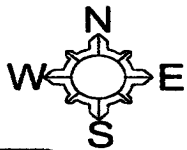
NW CORNER TO
SW CORNER NW 1/4 NW 1/4
SECTION 32, T90N. R5W
BEARING/DISTANCE
S 00° 43' 32" W
1334.80' (1334.80')



PARCEL "A" PART OF THE
NW 1/4 NW 1/4 SECTION 32, T90N. R5W
AS RECORDED IN BOOK 7, PAGE 152, IN THE
OFFICE OF THE DELAWARE COUNTY RECORDER

LEGEND

- P.O.B. POINT OF BEGINNING
 - () RECORDED AS
 - R.O.W. LINE
 - [Hatched Box] PERMANENT EASEMENT
 - FOUND 1/2" REBAR W/ORANGE CAP #8419
 - FOUND ROW RAIL
 - SECTION LINE AND OR 1/4 SECTION LINE
- DATE DRAWN: 7/19/2022 DCF
- 1" = 100'



SW CORNER NW 1/4 NW 1/4
SECTION 32, T90N. R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4687

P.O.T. STA 1237+04.98



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