Del. Co. Aud.

315-3141
DELAWARE COUNTY IOWA
FILED
'97 APR 24 PM 4 16
7 PAGE 39
RECORDER
N/C

Entered for taxation this 6th day of May A.D. 1997
Suzanne McCrady Auditor
By Linda Becker Deputy
89-202

Prepared by: Brian T. Ridenour, Delaware Co. Engineer, P.O. Box 68, Delaware, IA; 319-927-3505

EASEMENT FOR PUBLIC HIGHWAY

Know All Men by These Presents:

That LeRoy J. Schnieders, Irrevocable Inter Vivos Trust

Mary Valene Schnieders, Irrevocable Inter Vivos Trust

of DELAWARE COUNTY, STATE of IOWA,

in consideration of the sum of Five hundred eighty five DOLLARS in hand paid by Delaware County, do hereby sell and convey unto the County of Delaware, for road purposes and for use as a Public Highway, the following described premises situated in the County of Delaware, State of Iowa, to-wit:

L-1995(3) See attached acquisition plat

and we hereby covenant with the said COUNTY OF DELAWARE that we lawfully seized of said premises; that they are free from incumbrance; that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, and the said

hereby relinquishes right of dower in and to the premises hereinbefore conveyed.

Signed this 14th day of April A. D. 19 97

LeRoy J. Schnieders

Mary Valene Schnieders

State of Iowa
County of Delaware } ss.

On this 14th day of April, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared LeRoy J. Schnieders and Mary Valene Schnieders, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that the persons, as the fiduciary, executed the instrument as the voluntary act and deed of the persons and of the fiduciary.

BRIAN T. RIDENOUR
My Comm. Exp. 7/2/99

Notary Public in and for said County
Brian T. Ridenour

DATE 4-24-97 BOOK 2 PAGE 39

County _____
Project No. L-1995(3)

EASEMENT
FOR PUBLIC HIGHWAY

Leray J. Schnieders Irrevocable Trust - et al
TO
Delaware County

Entered for taxation this 6th day of May A.D. 19 97
Sharon McCrary
County Auditor
By Carla Becker Deputy
89-202

Filed for Record on the _____ day of _____, A.D. 19____, at _____ o'clock ____M., and Recorded in Book _____ of _____, on Page _____

_____ Recorder
By _____ Deputy

EASEMENT PRIORITY AGREEMENT

For a good and valid consideration the _____

_____

a corporation, duly incorporated under the laws of the State of _____, agrees that the easement for road purposes, and for use as a public highway, granted Delaware County, in and to the premises described in the instrument on the reverse side hereof, shall be superior to the lien of the mortgage recorded in Book _____, Page _____, of the records in the office of the Recorder of Delaware County, Iowa, at Manchester, Iowa.

Attest: _____

_____ By _____

_____

State of _____ }
County of _____ } ss.

On this _____ day of _____, A. D. 19____, before me, _____ a Notary Public in and for said county, personally appeared _____ and _____, to me personally known, who being by me duly sworn did say that they are the _____ and _____, respectively, of the said _____, a corporation duly organized under the Laws of the State of _____, and that the seal affixed to said instrument is the seal of said corporation and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors; and the said _____ and _____ acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

_____
Notary Public in and for said County.

EASEMENT PRIORITY AGREEMENT

For a good and valid consideration _____ agrees that the easement for road purposes, and for use as a public highway granted Delaware County, in and to the premises described in the instrument on the reverse side hereof, shall be superior to the lien of the mortgage recorded in Book _____, Page _____, of the records in the office of Recorder of Delaware County, at Manchester, Iowa.

_____

_____

State of _____ }
County of _____ } ss.

On this _____ day of _____, A. D. 19____, before me, a Notary Public, in and for said County, personally appeared _____ to me known to be the person _____ who executed the foregoing instrument, and acknowledged that _____ executed the same as _____ voluntary act and deed.

_____
Notary Public in and for said County.

Instructions. Use corporate or personal form of waiver and acknowledgment as required.

MOHN SURVEYING ROGER R. MOHN 1888 GREAT RIVER ROAD LANSING, IOWA 52151 (319) 538-4067

LEGEND:

Acquisition boundary
Found "x" cut in concrete.
Set ½"ø iron rod w/cap.
Cut "x" in concrete.

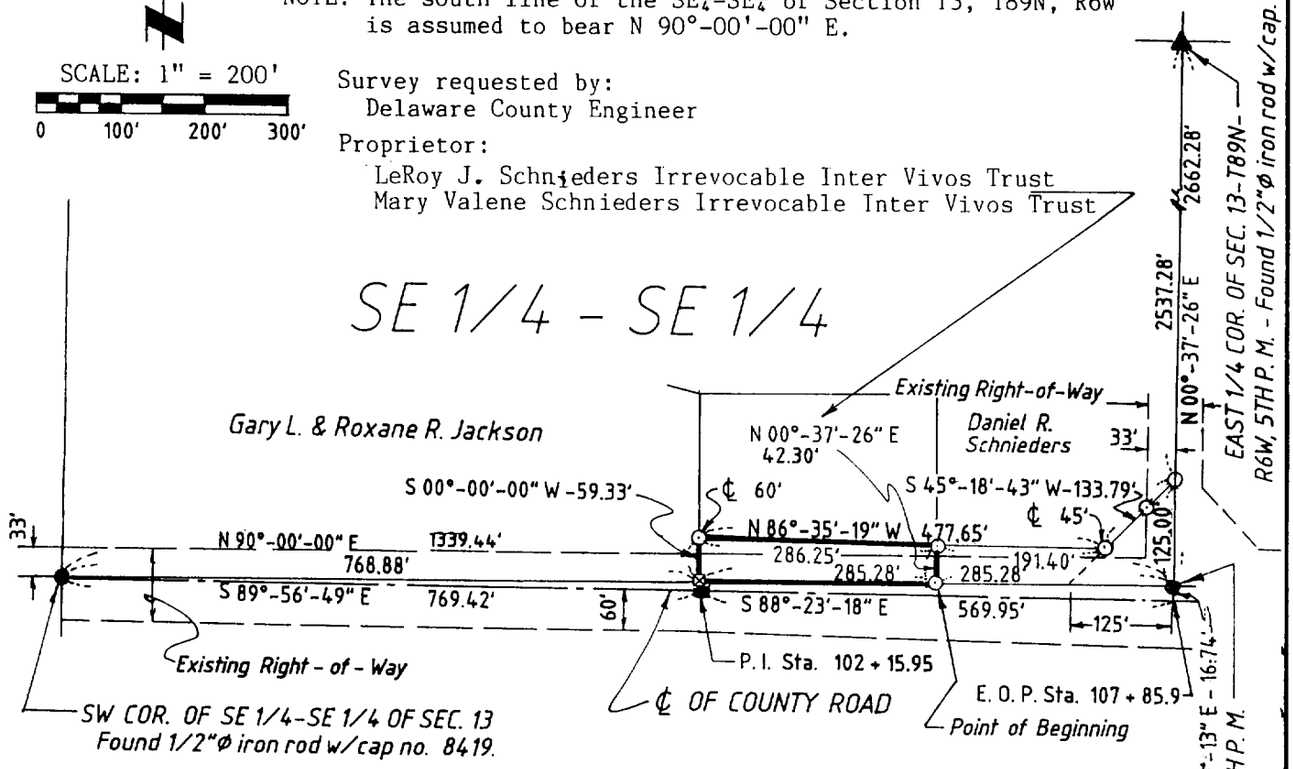
NOTE: The south line of the SE¼-SE¼ of Section 13, T89N, R6W is assumed to bear N 90°-00'-00" E.

SCALE: 1" = 200'

0 100' 200' 300'

Survey requested by:
Delaware County Engineer

Proprietor:
LeRoy J. Schnieders Irrevocable Inter Vivos Trust
Mary Valene Schnieders Irrevocable Inter Vivos Trust



LEGAL DESCRIPTION:

Roger W. & Betty Lou Fuller

Part of the Southeast Quarter of the Southeast Quarter (SE1/4-SE1/4) of Section Thirteen (13), Township Eighty-nine (89) North, Range Six (6) West of the Fifth Principal Meridian, Delaware County, Iowa, described as follows:

Commencing at the Southeast Corner of Section 13, Township 89 North, Range 6 West of the 5th P.M.; thence S 90°-00'-00" W, 285.28 feet along the south line of the SE1/4-SE1/4 of said Section 13 to the Point of Beginning; thence N 00°-37'-26" E, 42.30 feet; thence N 86°-35'-19" W, 286.25 feet; thence S 00°-00'-00" W, 59.33 feet; thence N 90°-00'-00" E, 285.28 feet along the south line of the SE1/4-SE1/4 of said Section 13 to the Point of Beginning.

Total R/W = 0.333 acres
Existing R/W = 0.216 acres
Net R/W = 0.117 acres

I hereby certify that this engineering and/or land surveying document was prepared by me or under my direct personal supervision and that I am a duly Registered Professional Engineer and Registered Land Surveyor under the laws of the State of Iowa.

Signature: Roger R. Mohn
Roger R. Mohn

Date March 14, 1997 Reg. No. 10165

My Registration expires December 31, 1998

LAND SURVEYOR
REGISTERED
ROGER R. MOHN
10165
IOWA

MOHN SURVEYING Roger R. Mohn
Surveying • Engineering
1888 Great River Road, Lansing, IA 52151
Phone 319-538-4067 • FAX (319) 538-4067

ACQUISITION PLAT
PROJ. L-1995 (3)
LEROY J. SCHNIEDERS IRREVOCABLE INTER VIVOS TR.
MARY VALENE SCHNIEDERS IRREVOCABLE INTER VIVOS TRUST

DATE SURVEYED: NOV. - DEC., 1996
FIELD BOOK: 58
SHEET NO. 1 OF 1

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