Del. Co. Aud. ✓

315-3143
DELAWARE COUNTY IOWA
FILED
'97 APR 24 PM 4 18
BOOK 7 PAGE 41
RECORDER
N/C

Entered for taxation this 6th day of May A.D. 1997
Auditor
By Deputy
89-212

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 Greater Delaware County Community Foundation

of DELAWARE COUNTY, STATE of IOWA,

in consideration of the sum of Three thousand eight hundred seventy seven & 50/100 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:

See attached acquisition plat
L-1995(3) Greater Delaware County Community Foundation

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 March A. D. 19 97

Tom O'Connell
Tom O'Connell, Life Use

Joseph Wiewel, President, First State Bank

David R. Dudley, Executive Vice President
First State Bank

FIRST STATE BANK DELAWARE, IOWA

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 Joseph Wiewel and David R. Dudley, to me personally known, who being by me duly sworn, did say that they are the President and Exec. Vice President, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by)(the seal affixed thereto is the seal of) the corporation, that the instrument was signed (and sealed) on the behalf of the corporation by authority of its Board of Directors; that Joseph Wiewel and David R. Dudley acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by them and as the fiduciary voluntarily executed.

INDUSTRIAL BANK IOWA
DEBRA A. RATZLAFF
MY COMMISSION EXPIRES
2-25-00

Debra A Ratzlaff
Notary Public in and for said County

DATE 4-24-97 BOOK 7 PAGE 41

County ---------- Project No. L-1995(3)

EASEMENT
FOR PUBLIC HIGHWAY

Greater Delaware Co. Community Foundation
TO
Delaware County

Entered for taxation this 6th day of May A. D. 1997
Sharon McCrackin
County Auditor
By Barbara Burken Deputy
89-212

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.

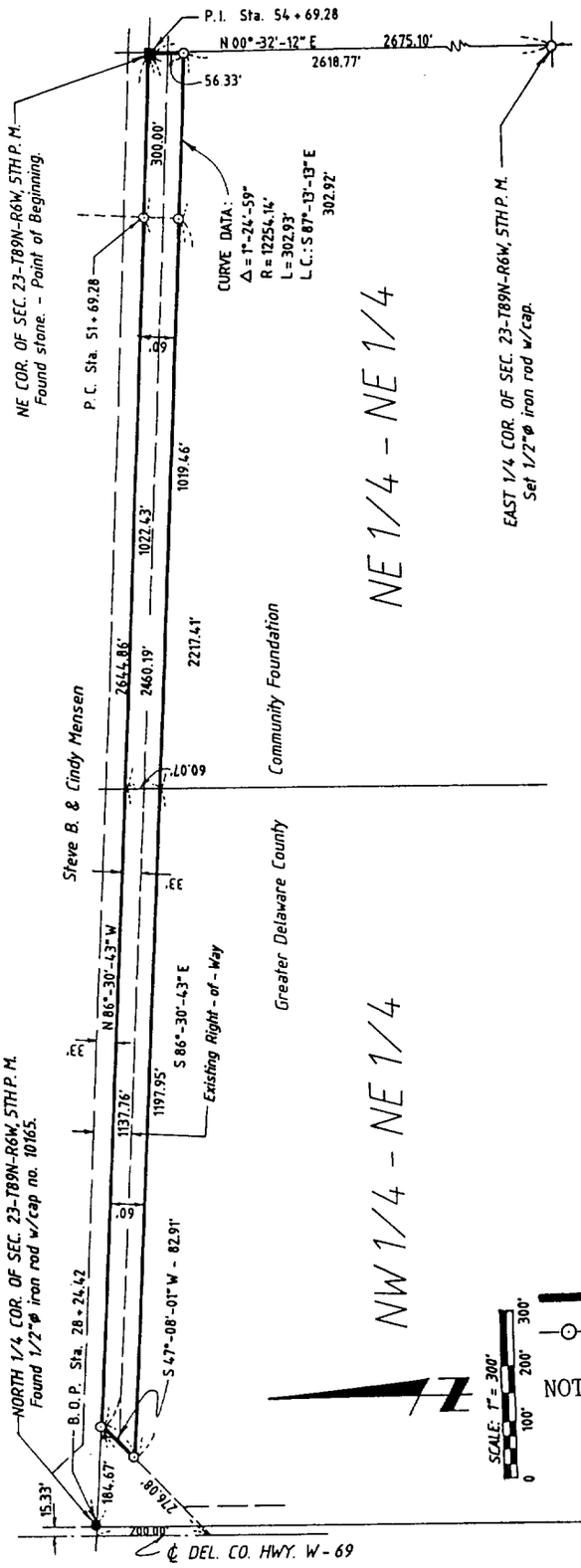
State of Iowa
County of Delaware

On this 15th day of April, 1997, before me the undersigned, a Notary Public in and for said County and State, personally appeared Tom O'Connell, to me to be the indentical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in & for State of Iowa

JOSEPH WIEWEL
MY COMMISSION EXPIRES
8-16-99

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



LEGAL DESCRIPTION:

Part of the Northeast Quarter of the Northeast Quarter (NE1/4-NE1/4) and part of the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4) of Section Twenty-three (23), Township Eighty-nine (89) North, Range Six (6) West of the Fifth Principal Meridian, Delaware County, Iowa, described as follows:

Commencing at the Northeast Corner of Section 23, Township 89 North, Range 6 West of the 5th P.M. which is the Point of Beginning; thence N 86°-30'-43" W, 2460.19 feet along the north line of the NE1/4 of said Section 23; thence S 47°-08'-01" W, 82.91 feet; thence S 86°-30'-43" E, 2217.41 feet; thence 302.93 feet along a 12254.14 foot radius curve concave northerly with a central angle of 1°-24'-59" and a long chord which bears S 87°-13'-13" E, 302.92 feet; thence N 00°-32'-12" E, 56.33 feet along the east line of the NE1/4 of said Section 23 to the Point of Beginning.

		R/W in NW1/4-NE1/4	
R/W in NE1/4-NE1/4		Total R/W	= 1.809 acres
Total R/W	= 1.608 acres	Existing R/W	= 1.002 acres
Existing R/W	= 0.864 acres	Net R/W	= 0.807 acres
Net R/W	= 0.744 acres		

LEGEND:

Acquisition boundary

—⊙— Set ½"ø iron rod w/cap.

NOTE: The north line of NE¼ of Section 23, T89N, R6W is assumed to bear N 86°-30'-43" W.

LAND SURVEYOR
REGISTERED
ROGER R. MOHN
10165
IOWA

Survey requested by: Delaware County Engineer

Proprietor: Greater Delaware County Community Foundation

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.

Roger R. Mohn 12/31/96

Roger R. Mohn, Reg. No. 10165 Date

My Registration expires Dec. 31, 1998.

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)
GREATER DEL. CO. COMM. FOUNDATION PROPERTY

DATE SURVEYED: NOV. - DEC., 1996

FIELD BOOK: 58

SHEET NO. 1 OF 1