Del. Co. Auditor

SEE RECORDERS STAMP ON PAGE 2

Entered for taxation this 3rd day of June A.D. 1998
Jane McCaleb, Auditor
by Sue Beckey, Deputy

89-224

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 Constance J. Funke

of DELAWARE COUNTY, STATE of IOWA,

in consideration of the sum of One hundred fifty 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 acquisition plat, parcel #1

Project STP-S-28(32)--5E-28

and I hereby covenant with the said COUNTY OF DELAWARE that I lawfully seized of said premises; that they are free from incumbrance; that I have good and lawful authority to sell and convey the same, and I 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 17TH day of MARCH A. D. 19 98

Constance J. Funke
Constance J. Funke

State of Iowa }
County of Delaware } ss.

On this 17TH day of MARCH A. D. 19 98, before me Brian T. Ridenour, a Notary Public in and for Delaware County, State of Iowa, personally appeared Constance J. Funke

to me known to be the person who is named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

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

Brian T. Ridenour
Notary Public in and for said County.
Brian T. Ridenour

DATE 5-26-98 BOOK 8 PAGE 35

County Delaware
Project No. STP-S-28(32)-SE-28

EASEMENT
FOR PUBLIC HIGHWAY

Constance J. Funke

TO

Delaware County, Iowa

Entered for taxation this 3rd day of June A. D. 19 98
Sharon McCabb County Auditor
By Carla Sucke Deputy
89-224

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 _____ } ss.
County of _____ }

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 _____ } ss.
County of _____ }

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.

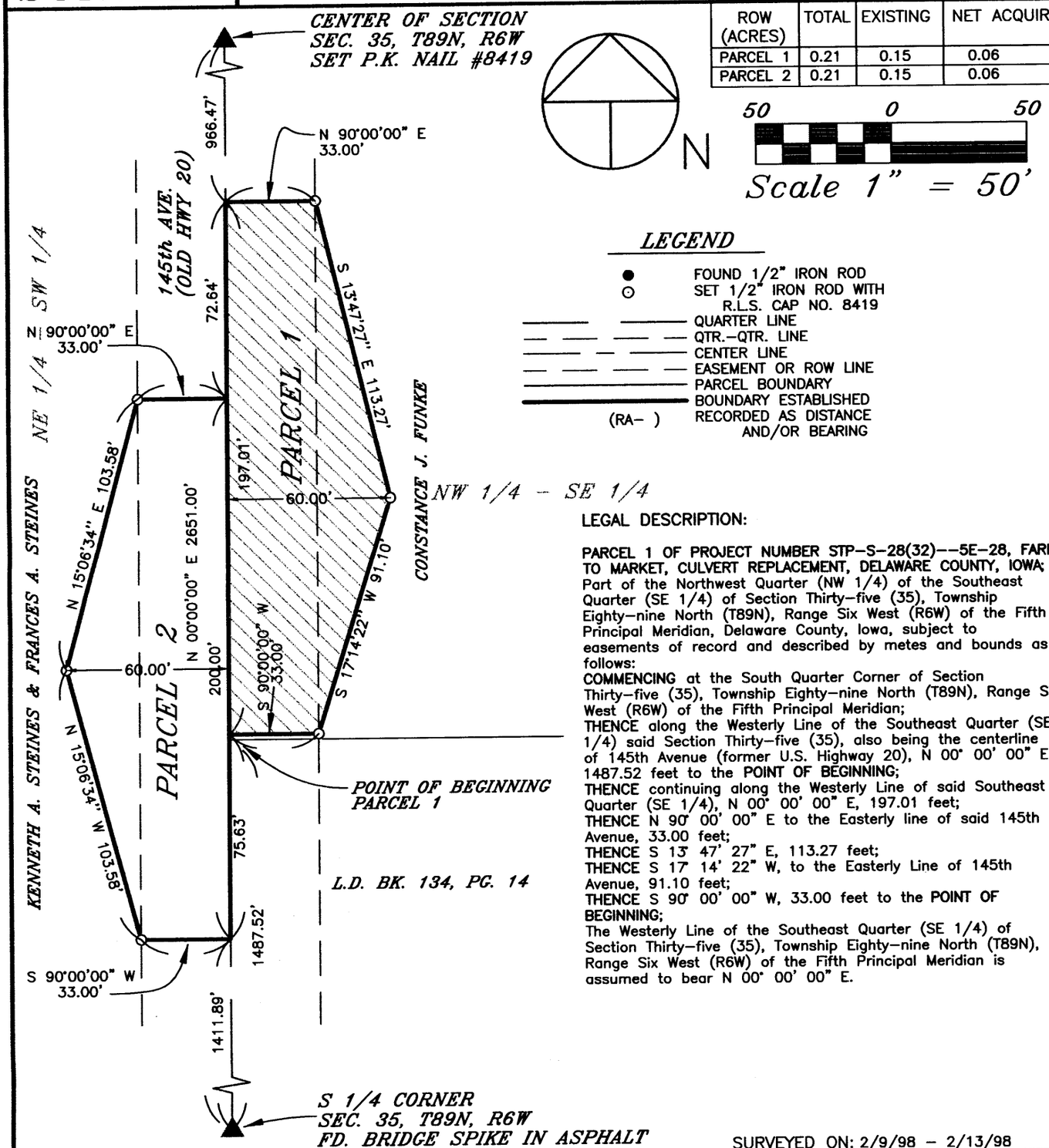
98-3733
DELAWARE COUNTY IOWA
FILED
1998 MY 26 PM 3:27
BOOK 8 PAGE 35
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
N/C

PREPARED BY: J DAVID GIBBS; P.O. BOX 295 MANCHESTER, IA 52057 319-927-2434

PLAT OF SURVEY

ACQUISITION PLAT – PARCEL 1
PROJECT NO. STP-S-28(32)--5E-28
FARM TO MARKET, CULVERT REPLACEMENT, DELAWARE COUNTY

ROW (ACRES)	TOTAL	EXISTING	NET ACQUIRED
PARCEL 1	0.21	0.15	0.06
PARCEL 2	0.21	0.15	0.06



LEGEND

- ● FOUND 1/2" IRON ROD
- ⊙ SET 1/2" IRON ROD WITH R.L.S. CAP NO. 8419
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- (RA–) RECORDED AS DISTANCE AND/OR BEARING

LEGAL DESCRIPTION:

PARCEL 1 OF PROJECT NUMBER STP-S-28(32)--5E-28, FARM TO MARKET, CULVERT REPLACEMENT, DELAWARE COUNTY, IOWA; Part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-five (35), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa, subject to easements of record and described by metes and bounds as follows:

COMMENCING at the South Quarter Corner of Section Thirty-five (35), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian;
THENCE along the Westerly Line of the Southeast Quarter (SE 1/4) said Section Thirty-five (35), also being the centerline of 145th Avenue (former U.S. Highway 20), N 00° 00' 00" E, 1487.52 feet to the POINT OF BEGINNING;
THENCE continuing along the Westerly Line of said Southeast Quarter (SE 1/4), N 00° 00' 00" E, 197.01 feet;
THENCE N 90° 00' 00" E to the Easterly line of said 145th Avenue, 33.00 feet;
THENCE S 13° 47' 27" E, 113.27 feet;
THENCE S 17° 14' 22" W, to the Easterly Line of 145th Avenue, 91.10 feet;
THENCE S 90° 00' 00" W, 33.00 feet to the POINT OF BEGINNING;
The Westerly Line of the Southeast Quarter (SE 1/4) of Section Thirty-five (35), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian is assumed to bear N 00° 00' 00" E.

SURVEYED ON: 2/9/98 – 2/13/98

LICENSED LAND SURVEYOR
J. DAVID GIBBS 8419
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1

PROPRIETORS: *CONSTANCE J. FUNKE*

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

J. DAVID GIBBS, P.E., RLS. REG. NO. 8419 — DATE 2/23/98

MY LICENSE RENEWAL DATE IS DECEMBER 31,1998

GIBBS ENGINEERING & SURVEYING
PROFESSIONAL SERVICES BUILDING
223 WEST MAIN STREET, MANCHESTER, IA 52057

PROJECT NO.	98-10
SCALE:	1"=50'
DATE:	2/11/98
DRAWN BY:	RLR
CHECKED BY:	JDG
FIELD BK:	D.L.
REVISED	
SHEET	1 OF 1

DATE 5-26-98 BOOK 8 PAGE 35