Del. Co. Auditor

Received for Execution June 12 A.D. 1998
Shawn McCrabb, Auditor
Della Bueltz, Deputy
89-221

87-3890
DELAWARE COUNTY IOWA
FILED
1998 JN -9 AM 8:36
BOOK 8 PAGE 38
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
N/C

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 John H. and Betty J. Wacker

Randy C. Marquardt & Dale Childs Partners

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 #3

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

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 11th day of March A. D. 1998.

John H. Wacker
John H. Wacker

Betty J. Wacker
Betty J. Wacker

State of Iowa }
County of Delaware } ss.

On this 11th 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 John H. and Betty J. Wacker

to me known to be the person s who are named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

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

DATE 6-9-98 BOOK 8 PAGE 38

County Delaware

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

EASEMENT
FOR PUBLIC HIGHWAY

John H. & Betty J. Wacker - etal
TO
Delaware County, Iowa

Entered for taxation this 12th day of June A.D. 1998
Joan McCubbin County Auditor
By Carla Becker Deputy
89-22

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.

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

PLAT OF SURVEY

ACQUISITION PLAT – PARCEL 3
PROJECT NO. STP-S-28(32)--5E-28
FARM TO MARKET, CULVERT REPLACEMENT, DELAWARE COUNTY

ROW (ACRES)	TOTAL	EXISTING	NET ACQUIRED
PARCEL 3	0.21	0.15	0.06
PARCEL 4	0.21	0.15	0.06

N

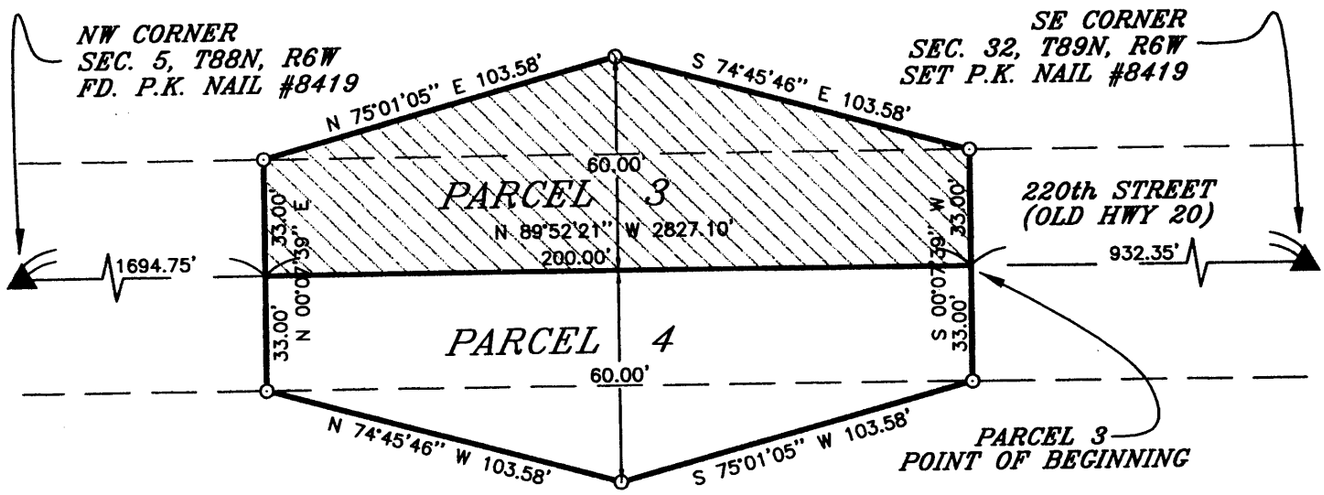
50 0 50

Scale 1" = 50'

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

JOHN H. & BETTY J. WACKER
SE 1/4 – SE 1/4
SECTION 32



HELEN I. WILCENBUSH
NE 1/4 – NW 1/4
SECTION 5

LEGAL DESCRIPTION:

PARCEL 3 OF PROJECT NUMBER STP-S-28(32)--5E-28, FARM TO MARKET, CULVERT REPLACEMENT, DELAWARE COUNTY, IOWA; Part of the Southeast Quarter (SE 1/4) of Section Thirty-two (32), 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 Southeast Corner of Section Thirty-two (32), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian;
THENCE along the Southerly Line of the Southeast Quarter (SE 1/4) said Section Thirty-two (32), also being the centerline of 220th Street (former U.S. Highway 20), N 89° 52' 21" W, 932.35 feet to the POINT OF BEGINNING;
THENCE continuing along the said Southerly Line, N 89° 52' 21" W, 200.00 feet;
THENCE N 00° 07' 39" E to the Northerly line of said 220th Street, 33.00 feet;
THENCE N 75° 01' 05" E, 103.58 feet;
THENCE S 74° 45' 46" E, to the Northerly Line of 220th Street, 103.58 feet;
THENCE S 00° 07' 39" W, 33.00 feet to the POINT OF BEGINNING;
The Southerly Line of the Southeast Quarter (SE 1/4) of Section Thirty-two (32), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian is assumed to bear N 89° 52' 21" W.

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: JOHN H. & BETTY J. WACKER
C.P. RANDY C. MARQUARDT & DALE CHILDS, PARTNERS

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

BOOK 8 PAGE 38

STATE OF IOWA

ss:

COUNTY OF DELAWARE

On this 27th day of MAY, 1998, before me BRIAN T. RIDENOUR, a Notary Public in and for Delaware County, State of Iowa, personally appeared Randy C. Marquardt to me known to be the person who is the owner of the Randy C. Marquardt partnership and the General Manager of the Dale Childs partnership and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Randy C. Marquardt
Randy C. Marquardt, Partnership Owner

Dale Child Partnership by
Randy C. Marquardt
Randy C. Marquardt, General Manager
of the Dale Childs partnership

Notary Public in and for said County

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