DELAWARE COUNTY IOWA
FILED
2004 APR -5 PM 2:10
BOOK 2004 PAGE 1102
DEBORAH L. LOVAN
DELAWARE COUNTY RECORDER
N/C

Marvin T. & Karen V. Ries to Delaware Co., IA (24-87-5)

Entered for taxation this 2nd day of April A.D. 2004
Stanton McCullough Auditor
By [illegible] Deputy
87-1/43

DEL. CO. AUDITOR

THIS DOCUMENT WAS PREPARED BY MARK NAHRA, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38., DELAWARE, IA 52036, 563-927-3505

EASEMENT FOR PUBLIC HIGHWAY

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

Marvin T. Ries and Karen V. Ries

In consideration of the lump sum of Five Hundred ninety nine and 00/100 DOLLARS ($599.00), in hand paid by Delaware County, hereby grants unto said Delaware County a permanent easement upon sellers real estate, hereafter referred to as the premises, for the purpose of highway construction and maintenance.
Said premises is situated in the County of Delaware, State of Iowa, to-wit:

Property as described net acquired right of way and shown on the attached plat and legal description of parcel number 1 for project number IBRC-CO28(41)—8E-28. Said plat is in section 24, township 87N, range 5W and is fully described on the aforementioned plat.

and **Marvin T. Ries and Karen V. Ries** hereby covenant with the said Delaware County that **Marvin T. Ries and Karen V. Ries** are lawfully seized of said premises; that said premises are free from encumbrance, that there are no known wells, solid waste disposal sites, hazardous wastes, underground storage tanks, or any other similar hazardous conditions adversely affecting the environment, that **Marvin T. Ries and Karen V. Ries** have good and lawful authority to sell and convey the same, and **Marvin T. Ries and Karen V. Ries** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 29th day of August A.D. 2003

STATE OF IOWA
)
Delaware County)s.s
)

Marvin T. Ries
Marvin T. Ries

Karen Virginia Ries
Landowner(s) of Record Karen V. Ries

On this 29th day of August A.D. 2003, before me, the undersigned Notary Public, personally appeared to me known **Marvin T. Ries and Karen V. Ries** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Marvin T. Ries and Karen V. Ries** executed the same as a voluntary act and deed.

Mark J. Nahra
COMMISSION NUMBER 165627
MY COMMISSION EXPIRES
7-2-2004
Seal or Stamp above

Mark J. Nahra
Notary Public in and for said County

DELAWARE COUNTY IOWA
FILED
2003 SEP - 4 AM 9:11
BOOK 2003 PAGE 4309
DEPUTY
DELAWARE COUNTY IOWA
11.00

Prepared By (x)CHq J. David Gibbs, 105 West Main Street, Manchester, IA, 563-927-2434

AFFIDAVIT

ACQUISITION PLAT – PARCEL NO. 1, PROJECT NO. IBRC-CO28(41)—8E-28, BRIDGE REPLACEMENT, SEC. 24, T87N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

I, J. David Gibbs, being first duly sworn on oath depose and state that

1) I prepared the Plat of Survey of the ***ACQUISITION PLAT – PARCEL NO. 1, PROJECT NO. IBRC-CO28(41)—8E-28, BRIDGE REPLACEMENT, SEC. 24, T87N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA*** as recorded on August 21, 2003, in Book 2003, Page 4060 in the Office of the Delaware County Recorder; and that

2) A scrivener's error was made on the top of the Plat, where the west road right of way reads:

50.00'
N 90°00'00" E

And should read:

33.00'
N 90°00'00" E

Dated this 3 day of September, 2003,

SURVEYOR'S CERTIFICATE

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 9/3/03

J. David Gibbs L.S. #8419 Date
My license will be renewed on December 31, 2004

Subscribed and sworn to before me this 3rd day of September, 2003,

Donna M. Kunde
Notary Public in and for the State of Iowa

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-05

Affidavit Bk 2003 Page 4309

AUG 21 2003
FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

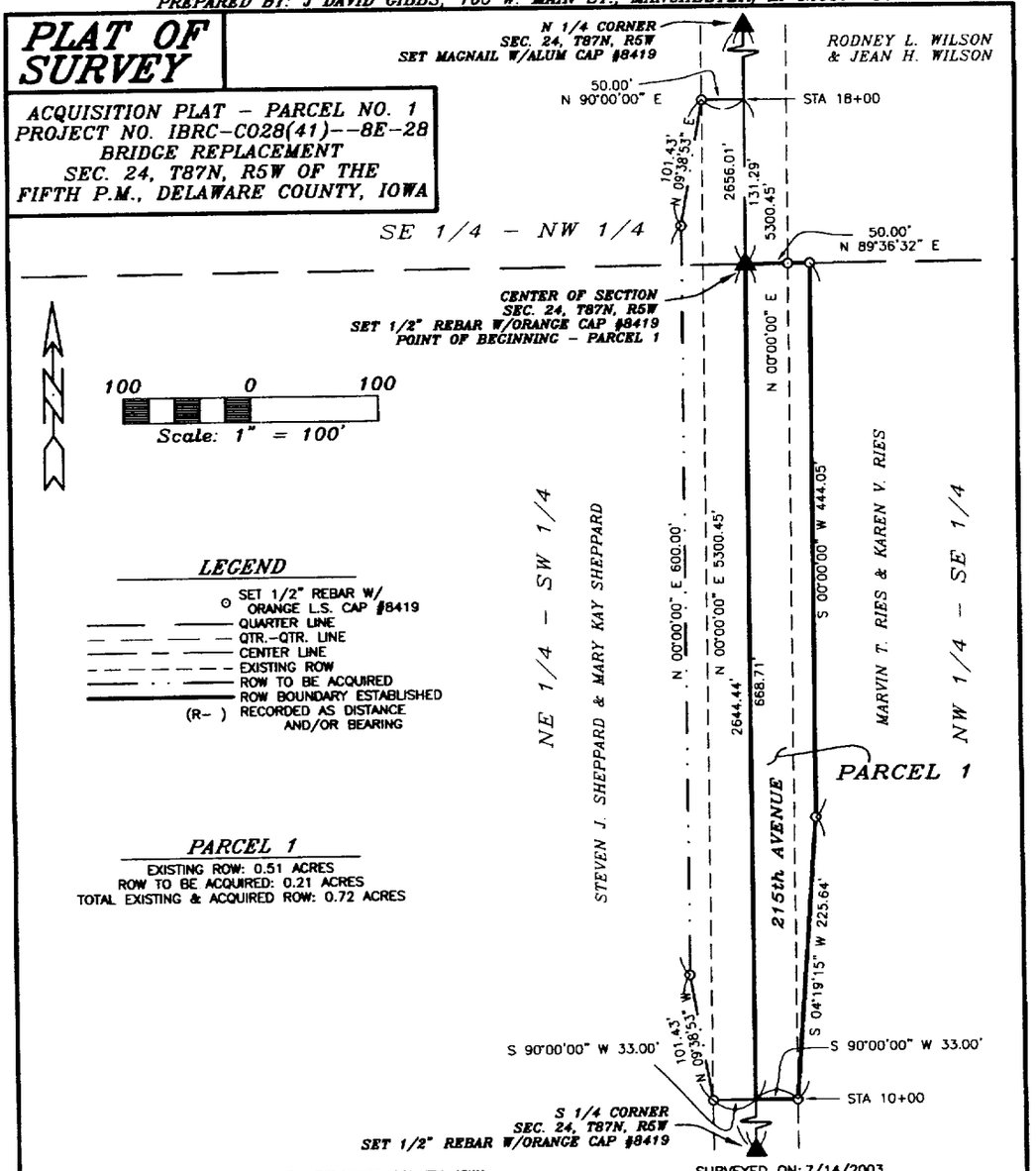
BOOK 2003 PAGE 4060
DELAWARE COUNTY IOWA
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2003 AUG 21 AM 10: 11
DELAWARE COUNTY IOWA
FILED

PREPARED BY: (x)chg J. DAVID GIBBS; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

PLAT OF SURVEY

ACQUISITION PLAT – PARCEL NO. 1
PROJECT NO. IBRC-C028(41)--8E-28
BRIDGE REPLACEMENT
SEC. 24, T87N, R5W OF THE
FIFTH P.M., DELAWARE COUNTY, IOWA



SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY, IOWA
SURVEYED ON: 7/14/2003

PROPRIETORS: MARVIN T. RIES & KAREN V. RIES

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.

8/20/03
J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2004

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

GIBBS ENGINEERING & SURVEYING
105 WEST MAIN STREET
MANCHESTER, IA 52057

PROJECT NO. 03-53
SCALE: 1"=100'
DATE: 7/16/2003
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 2

BOOK 2003 PAGE 4060

LEGAL DESCRIPTON:

***PARCEL 1**, PROJECT NO. IBRC-CO28(41)—8E-28, PART OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY-FOUR (24), TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA*, containing a total of 0.72 acres, including 0.51 of existing public road right of way, and more particularly described as follows;

BEGINNING at the Center of Section Twenty-four (24), Township Eighty-seven North (T87N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Northerly Line of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of said Section Twenty-four (24), North 89° 36' 32" East, 50.00 feet;

THENCE South 00° 00' 00" West, 444.05 feet;

THENCE South 04° 19' 15" West, 225.64 feet;

THENCE South 90° 00' 00" West, to the Westerly Line of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of said Section Twenty-four (24), 33.00 feet;

THENCE along Westerly Line of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of said Section Twenty-four (24), North 00° 00' 00" East, 668.71 feet to the **POINT OF BEGINNING**;

Containing a total of 0.72 acres including 0.51 acres of existing public road right of way.

The Quarter Line Between the South Quarter Corner and North Quarter Corner of Section Twenty-four (24), Township Eighty-seven North (T87N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 00° 00' 00" East.