DEL. CO. AUDITOR

Steven J. & Mary K. Sheppard to Delaware Co. 24-87-5)

April 12th 2004
Sharon McCullough Auditor
By Cindy Deputy

87-143

DELAWARE COUNTY IOWA
FILED
2004 APR -5 PM 2:11
BOOK 2004 PAGE 1103
DEBORAH L. FLYTON
DELAWARE CO. RECORDER
N/C

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:

Steven J. Sheppard and Mary Kay Sheppard

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 2 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 **Steven J. Sheppard and Mary Kay Sheppard** hereby covenant with the said Delaware County that **Steven J. Sheppard and Mary Kay Sheppard** 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 **Steven J. Sheppard and Mary Kay Sheppard** have good and lawful authority to sell and convey the same, and **Steven J. Sheppard and Mary Kay Sheppard** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 12th day of August A.D. 2003

STATE OF IOWA
)
Delaware County)s.s
)

Steven J. Sheppard

Mary K. Sheppard
Mary Kay Sheppard

Landowner(s) of Record

On this 12th day of August A.D. 2003, before me, the undersigned Notary Public, personally appeared to me known **Steven J. Sheppard and Mary Kay Sheppard** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Steven J. Sheppard and Mary Kay Sheppard** 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:
BOOK 2003 PAGE 4310
DESCRIPTION CHECKED
DEPUTY
11.00

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

AFFIDAVIT

ACQUISITION PLAT – PARCEL NO. 2, 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. 2, 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 4059 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.

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,

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 4310

AUG 21 2003

FILED
DELAWARE COUNTY AUDITOR

AUG 21

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

BOOK 2003 PAGE 4059
DEBORAH L. PETERSON
DELAWARE CO. RECORDER

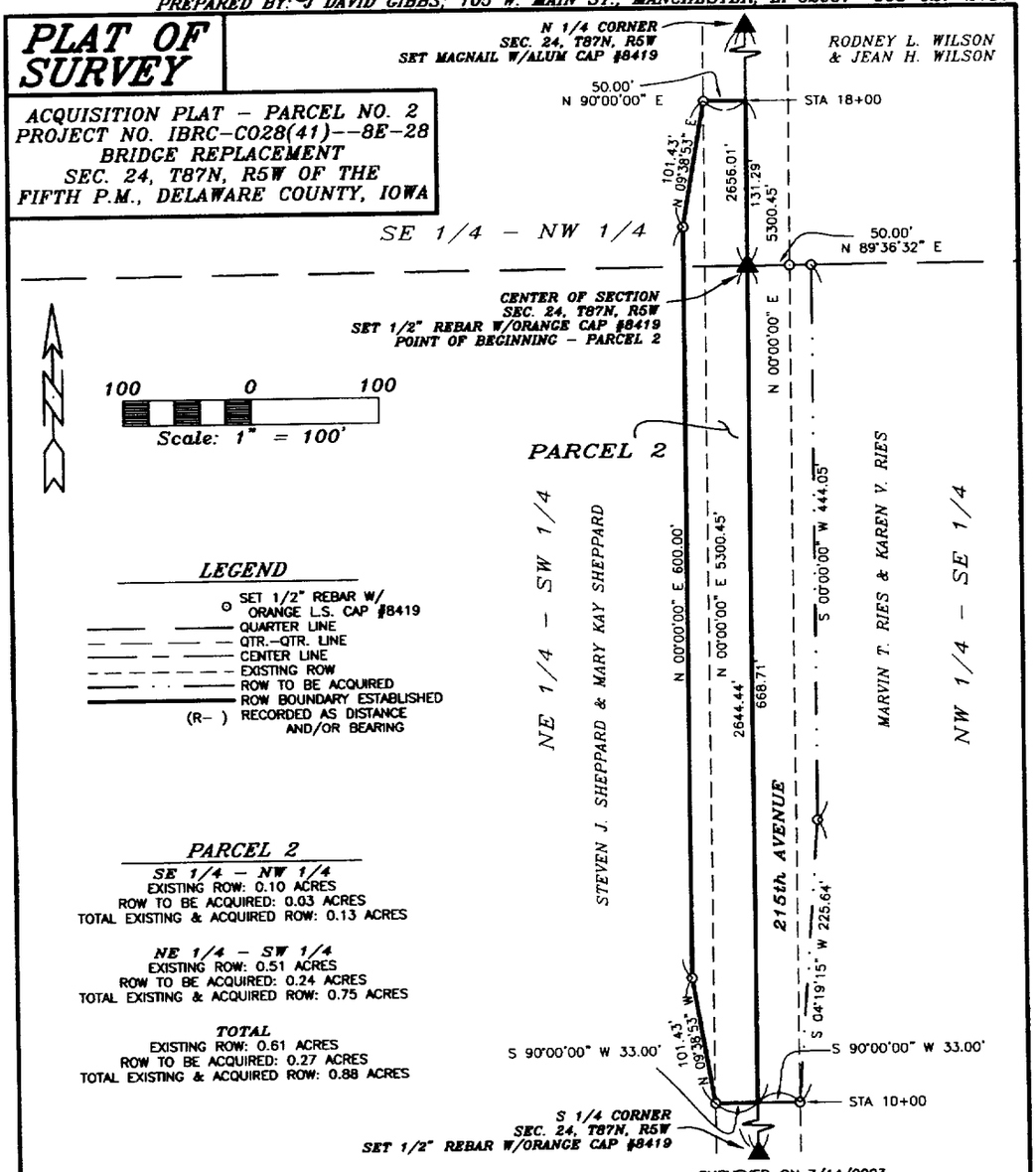
11.00

2003 AUG 21 AM 10:10
DELAWARE COUNTY IOWA
FILED

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

PLAT OF SURVEY

ACQUISITION PLAT – PARCEL NO. 2
PROJECT NO. IBRC-C028(41)--8E-28
BRIDGE REPLACEMENT
SEC. 24, T87N, R5W OF THE
FIFTH P.M., DELAWARE COUNTY, IOWA



LEGEND

- ○ SET 1/2" REBAR W/ ORANGE L.S. CAP #8419
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EXISTING ROW
- ROW TO BE ACQUIRED
- ROW BOUNDARY ESTABLISHED
- (R–) RECORDED AS DISTANCE AND/OR BEARING

PARCEL 2

SE 1/4 – NW 1/4
EXISTING ROW: 0.10 ACRES
ROW TO BE ACQUIRED: 0.03 ACRES
TOTAL EXISTING & ACQUIRED ROW: 0.13 ACRES

NE 1/4 – SW 1/4
EXISTING ROW: 0.51 ACRES
ROW TO BE ACQUIRED: 0.24 ACRES
TOTAL EXISTING & ACQUIRED ROW: 0.75 ACRES

TOTAL
EXISTING ROW: 0.61 ACRES
ROW TO BE ACQUIRED: 0.27 ACRES
TOTAL EXISTING & ACQUIRED ROW: 0.88 ACRES

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY, IOWA

SURVEYED ON: 7/14/2003

PROPRIETORS:
STEVEN J. SHEPPARD & MARY KAY SHEPPARD

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.

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE 8/20/03

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2004

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 4059

LEGAL DESCRIPTON:

PARCEL 2, *PROJECT NO. IBRC-CO28(41)—8E-28, PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼), AND PART OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION TWENTY-FOUR (24), ALL IN TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA*, containing a total of 0.88 acres, including 0.61 acres 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 Easterly Line of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-four (24), South 00° 00' 00" West, 668.71 feet;

THENCE South 90° 00' 00" West, 33.00 feet;

THENCE North 09° 38' 53" West, 101.43 feet;

THENCE North 00° 00' 00" East, 600.00 feet;

THENCE North 09° 38' 53" East, 101.43 feet;

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

THENCE along the Easterly Line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Section Twenty-four (24), South 00° 00' 00" West, 131.29 feet to the **POINT OF BEGINNING**;

Containing a total of 0.88 acres including 0.61 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.