Delaware Co. Auditor

Victor H. & Joyce K. Ross to Delaware County

Entered for taxation 30th day of November A.D., 2004
Sharon McGuire Auditor
By [illegible] Deputy

89-19; 89-1166

N/C

DELAWARE COUNTY IOWA FILED
2004 NOV 22 PM 1:21
BOOK 2004 PAGE 4358
DEBORAH L. HEYON
DELAWARE CO. RECORDER

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:

Victor H. Ross and Joyce K. Ross

In consideration of the lump sum of Four hundred twelve and 60/100 Dollars ($412.60), 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 LB-04(03)—73-28. Said plat is in section 9 and16, township 89N, range 5W and is fully described on the aforementioned plat as recorded in Book 2004, page 4182.

and **Victor H. Ross and Joyce K. Ross** hereby covenant with the said Delaware County that **Victor H. Ross and Joyce K. Ross** 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 **Victor H. Ross and Joyce K. Ross** have good and lawful authority to sell and convey the same, and **Victor H. Ross and Joyce K. Ross** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 14th day of OCTOBER A.D. 2004

Victor H. Ross

Joyce K. Ross

Landowner(s) of Record

STATE OF IOWA)
Delaware County)s.s
)

On this 14th day of October A.D. 2004, before me, the undersigned Notary Public, personally appeared to me known **Victor H. Ross and Joyce K. Ross** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Victor H. Ross and Joyce K. Ross** executed the same as a voluntary act and deed.

Mark J. Nahra
COMMISSION NUMBER 165627
MY COMMISSION EXPIRES
7-2-2007

Seal or Stamp above

Mark J. Nahra

Notary Public in and for said County

DELAWARE COUNTY IOWA
FILED

2004 NO -5 PM 2:59

BOOK 2004 PAGE 4182
DEBORAH L. PEYTON
DELAWARE CO RECORDER
12.00

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

NOV 5 2004

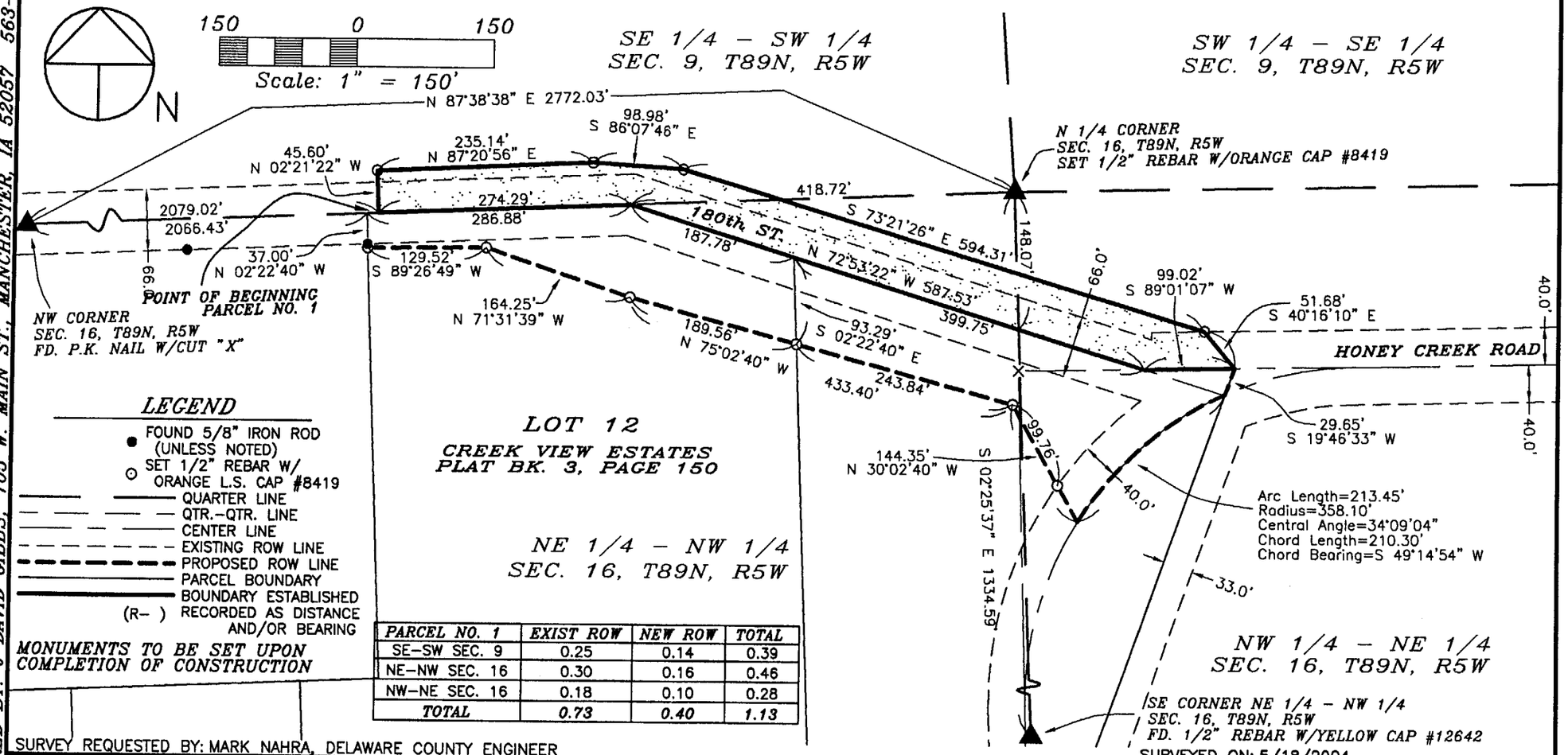
FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

NOV 5 2004

BOOK 2004 PAGE 4182

PLAT OF SURVEY

PARCEL NO. 1, PROJECT NO. LB-06(01)--73-28, PART OF THE SE 1/4-SW 1/4, SEC. 9, PART OF THE NE 1/4-NW 1/4 AND PART OF THE NW 1/4-NE 1/4, SEC. 16, ALL IN T89N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



LEGEND

- ● FOUND 5/8" IRON ROD (UNLESS NOTED)
- ⊙ SET 1/2" REBAR W/ ORANGE L.S. CAP #8419
- QUARTER LINE
- QTR.-QTR. LINE
- CENTER LINE
- EXISTING ROW LINE
- PROPOSED ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- (R-) RECORDED AS DISTANCE AND/OR BEARING

MONUMENTS TO BE SET UPON COMPLETION OF CONSTRUCTION

PARCEL NO. 1	EXIST ROW	NEW ROW	TOTAL
SE-SW SEC. 9	0.25	0.14	0.39
NE-NW SEC. 16	0.30	0.16	0.46
NW-NE SEC. 16	0.18	0.10	0.28
TOTAL	0.73	0.40	1.13

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

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

SURVEYED ON: 5/18/2004

SCALE: 1"=150'	
DATE: 6/16/2004	
DRAWN BY: RLR	
CHECKED BY: JDG	
FIELD BK: D.L.	
REVISED	
SHEET 1 OF 2	

PROPRIETORS:
VICTOR H. ROSS & JOYCE K. ROSS

PROJECT NO.
04-39

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

J. DAVID GIBBS, P.E., L.S. LICENSE #8419 DATE 11/4/04
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

LEGAL DESCRIPTION:

***PARCEL NO. 1**, PROJECT LB-06(01)—73-28, PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION NINE (9), PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼), AND PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION SIXTEEN (16), ALL IN TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 1.13 acres, including 0.73 acres of existing public road right of way, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Northwest Corner of Section Sixteen (16), Township eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Northerly Line of said Section Sixteen (16), North 87° 38' 38" East, 2079.02 feet to the **POINT OF BEGINNING**;

THENCE North 02° 21' 22" West, 45.60 feet;

THENCE North 87° 20' 56" East, 235.14 feet;

THENCE South 86° 07' 46" East, 98.98 feet;

THENCE South 73° 21' 26" East, to the Northerly right of way line of Honey Creek Road, 594.31 feet;

THENCE South 40° 16' 10" East, to the westerly extension of the centerline of Honey Creek Road, 51.68 feet;

THENCE along the westerly extension of the centerline of Honey Creek Road, North 89° 01' 07" West, to the intersection of the westerly extension of the centerline of Honey Creek Road and centerline of former Delaware North Road (now 180th Street), 99.02 feet;

THENCE along the centerline of former Delaware North Road (now 180th Street), North 72° 53' 22" West, to the Northerly Line of the Northwest Quarter (NW ¼) of said Section Sixteen (16), 587.53 feet;

THENCE along the Northerly Line of said Section Sixteen (16), South 87° 38' 38" West, 274.29 feet to the **POINT OF BEGINNING**;

Containing a total of 1.13 acres, including 0.73 acres of existing public road right of way.

The Northerly Line of the Northwest Quarter (NW ¼) of Section Sixteen (16), Township eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 87° 38' 38" East.