DELAWARE CO. AUDITOR

James E. & Diane M. Hoeger
to
Delaware County

Entered for taxation 17th day of March A.D. 2005
Sharon McCuffe Auditor
By [illegible] Deputy
98-64

Book 2005 Page 845
Document 2005 845 Type 03 06 Pages 3
Date 3/14/2005 Time 8:08 AM
Rec Amt $.00

DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

2005 - 342

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

James E. Hoeger and Diane M. Hoeger

In consideration of the lump sum of Six thousand nine hundred seventy three + 89/100 DOLLARS ($ 6973.89), 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 10 for project number L-G-04(01)—73-28. Said plat is part of the NE ¼ Section 10, T88N,R4W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat.

and **James E. Hoeger and Diane M. Hoeger** hereby covenant with the said Delaware County that **James E. Hoeger and Diane M. Hoeger** is 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 **James E. Hoeger and Diane M. Hoeger** have good and lawful authority to sell and convey the same, and **James E. Hoeger and Diane M. Hoeger** hereby covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 20th day of January A.D. 2005

STATE OF IOWA)
Delaware County)s.s
)

James E. Hoeger

Diane M. Hoeger

Landowner(s) of Record

On this 20th day of January A.D. 2005, before me, the undersigned Notary Public, personally appeared to me known **James E. Hoeger and Diane M. Hoeger** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **James E. Hoeger and Diane M. Hoeger** executed the same as a voluntary act and deed.

Mark J. Nahra
COMMISSION NUMBER 165627
MY COMMISSION EXPIRES
7-2-2005

Seal or Stamp above

Mark J. Nahra
Notary Public in and for said County

DELAWARE COUNTY IOWA
FILED ✓

2005 JA 31 PM 2:55

BOOK 2005 PAGE 342
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
12.00

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

JAN 31 2005

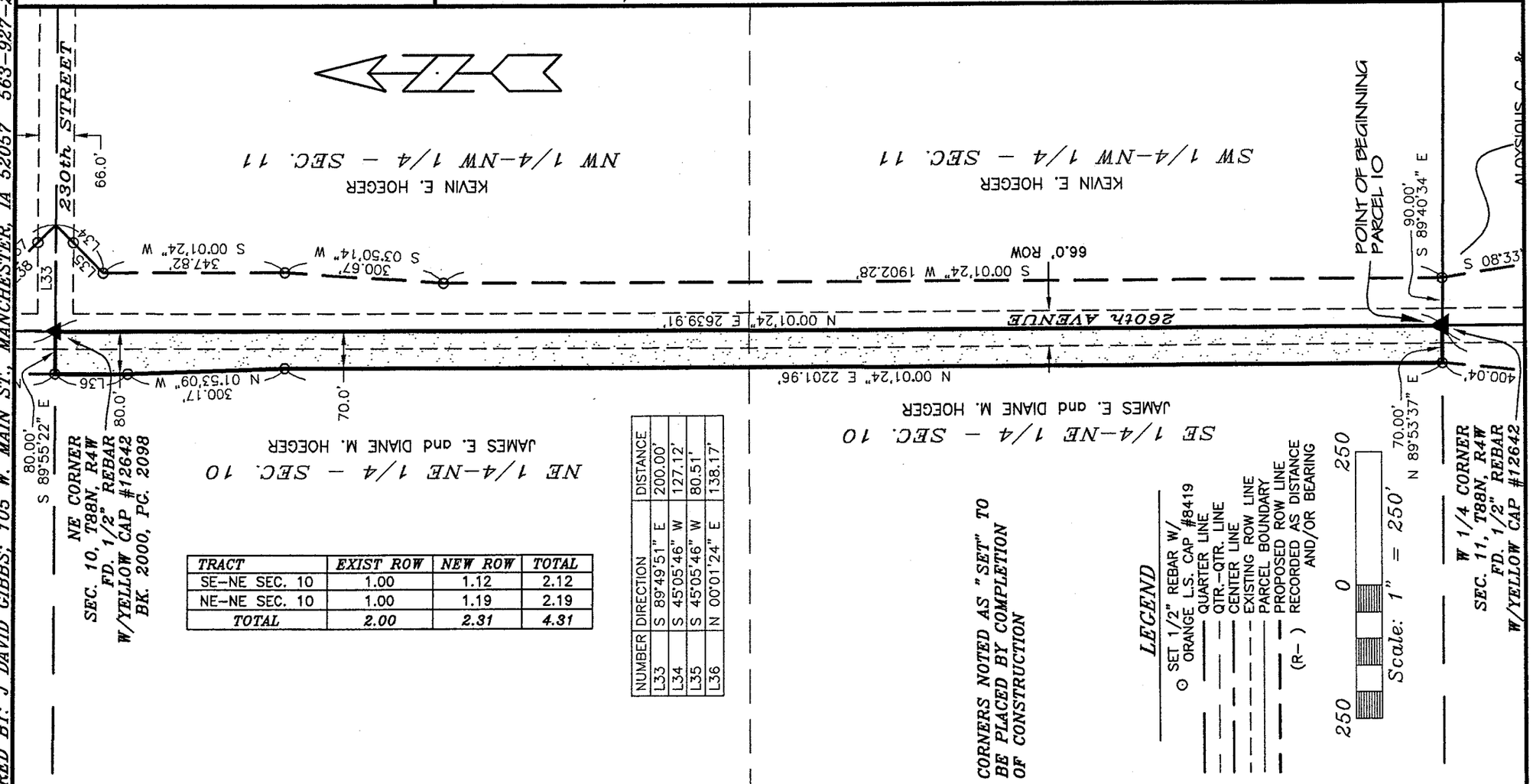
FILED
SHARON
DELAWARE CO.

JAN 31 2005

BOOK 2005 PAGE 342

PLAT OF SURVEY

PARCEL NO. 10–PROJECT NO. L–C–04(01)--73–28,
PART OF THE NE 1/4 OF SEC. 10, T88N, R4W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



TRACT	EXIST ROW	NEW ROW	TOTAL
SE–NE SEC. 10	1.00	1.12	2.12
NE–NE SEC. 10	1.00	1.19	2.19
TOTAL	2.00	2.31	4.31

NUMBER	DIRECTION	DISTANCE
L33	S 89°49'51" E	200.00'
L34	S 45°05'46" W	127.12'
L35	S 45°05'46" W	80.51'
L36	N 00°01'24" E	138.17'

SURVEYED ON: OCTOBER–DECEMBER 2003 SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

PAGES OR SHEETS COVERED BY THIS SEAL: 1–2

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

SCALE: 1"=250'	PROPRIETORS: JAMES E. HOEGER & DIANE M. HOEGER
DATE: 5/25/2004	PROJECT NO. 03–92
DRAWN BY: RLR	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.
CHECKED BY: JDG	J. David Gibbs 1/31/05
REVISED 1/18/2005	J. DAVID GIBBS, P.E., L.S. LICENSE #8419 DATE MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006
SHEET 1 OF 2	GIBBS ENGINEERING & SURVEYING 105 WEST MAIN STREET, MANCHESTER, IA 52057

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

BOOK 2005 PAGE 342

LEGAL DESCRIPTON:

PARCEL NO. 10, *PROJECT NO. L-G-04(01)--73-28, PART OF THE NORTHEAST QUARTER (NE ¼) OF SECTION TEN (10), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total 4.31 acres, including 2.00 acres of existing public road right of way, and more particularly described as follows;

BEGINNING at the East Quarter Corner of Section Ten (10), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Southerly Line of the Northeast Quarter (NE ¼) of said Section Ten (10), South 89° 53' 37" West, 70.00 feet;

THENCE North 00° 01' 24" East, 2201.96 feet;

THENCE North 01° 53' 09" West, 300.17 feet;

THENCE North 00° 01' 24" East, to the Northerly Line of the Northeast Quarter (NE ¼) of said Section Ten (10), 138.17 feet;

THENCE along the Northerly Line of the Northeast Quarter (NE ¼) of said Section Ten (10), South 89° 55' 22" East, to the Northeast Corner of said Section Ten (10), 80.00 feet;

THENCE along the Easterly Line of the Northeast Quarter (NE ¼) of said Section Ten (10), South 00° 01' 24" West, 2639.91 feet to the **POINT OF BEGINNING**;

Containing a total 4.31 acres, including 2.00 acres of existing public road right of way.

The Easterly Line of the Northeast Quarter (NE ¼) of Section Ten (10), Township Eighty-eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 00° 01' 24" East.