DELAWARE CO. AUDITOR

Douglas K. & Christine M. Huber
to
Delaware County

Entered for taxation 17th day of March A.D. 2005
Sharon McCauley Auditor
By Deputy
88-77; 88-80

Book 2005 Page 848
Document 2005 848 Type 03 06 Pages 6
Date 3/14/2005 Time 8:11 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

2005-347 & 348

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

Douglas K. and Christine M. Huber

In consideration of the lump sum of ~~twenty one thousand five hundred thirty five and~~ 00/100 DOLLARS (~~$21,535.00~~), 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:

1) Property as described net acquired right of way and shown on the attached plat and legal description of parcel number 21 for project number L-G-04(01)—73-28. Said plat is part of the SE ¼-SW ¼ Section 23 and NW ¼ Section 26, all in T88N, R4W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat.

2) Property as described net acquired right of way and shown on the attached plat and legal description of parcel number 22 for project number L-G-04(01)—73-28. Said plat is part of Parcel A in the SW ¼- NW ¼ Section 26, T88N, R4W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat.

and **Douglas K. and Christine M. Huber** hereby covenant with the said Delaware County that **Douglas K. and Christine M. Huber** 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 **Douglas K. and Christine M. Huber** have good and lawful authority to sell and convey the same, and **Douglas K. and Christine M. Huber** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 25th day of January A.D. 2005

STATE OF IOWA)
Delaware County)s.s
)

Douglas K. Huber

Christine M Huber

Landowner(s) of Record

On this 25th day of January A.D. 2005, before me, the undersigned Notary Public, personally appeared to me known **Douglas K. and Christine M. Huber** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Douglas K. and Christine M. Huber** executed the same as a voluntary act and deed.

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

Mark J. Nahra
Notary Public in and for said County

Seal or Stamp above

DELAWARE COUNTY IOWA
FILED ✓

2005 JA 31 PM 3:00

BOOK 2005 PAGE 347
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
17.00

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

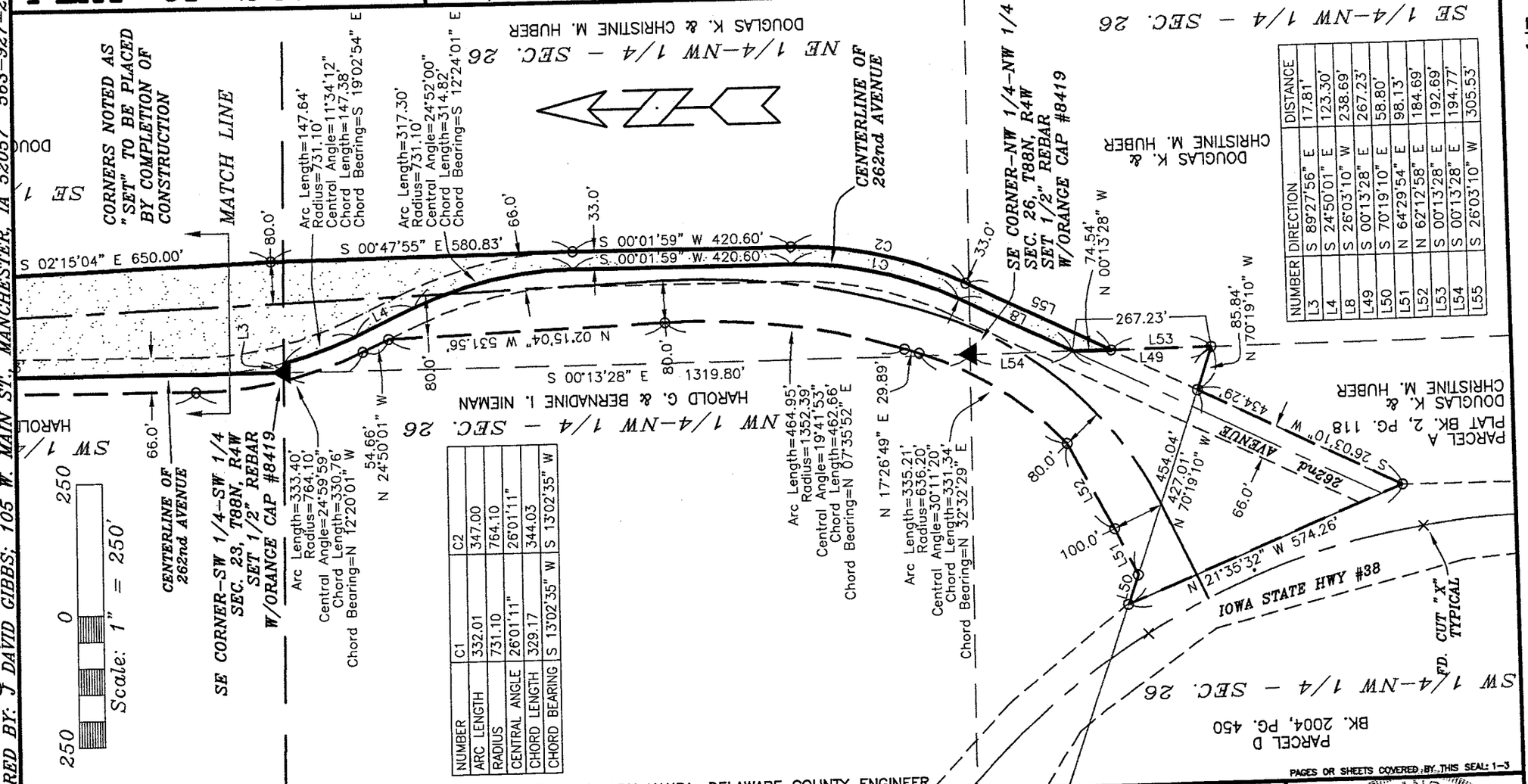
JAN 31 2005

SHARON [illegible]

JAN 31 2005

PLAT OF SURVEY

PARCEL NO. 21–PROJECT NO. L-G-04(01)--73-28, PART OF SE 1/4–SW 1/4, SEC. 23, & NW 1/4, SEC. 26, ALL IN T88N, R4W OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA



NUMBER	DIRECTION	DISTANCE
L3	S 89°27'56" E	17.81'
L4	S 24°50'01" E	123.30'
L8	S 26°03'10" W	238.69'
L49	S 00°13'28" E	267.23'
L50	S 70°19'10" E	58.80'
L51	N 64°29'54" E	98.13'
L52	N 62°12'58" E	184.69'
L53	S 00°13'28" E	192.69'
L54	S 00°13'28" E	194.77'
L55	S 26°03'10" W	305.53'

	C1	C2
ARC LENGTH	332.01	347.00
RADIUS	731.10	764.10
CENTRAL ANGLE	26°01'11"	26°01'11"
CHORD LENGTH	329.17	344.03
CHORD BEARING	S 13°02'35" W	S 13°02'35" W

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

PAGES OR SHEETS COVERED BY THIS SEAL: 1–3

SURVEYED ON: OCTOBER–DECEMBER 2003

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

SCALE: 1"=250'	PROPRIETORS: DOUGLAS K. HUBER & CHRISTINE M. HUBER
DATE: 8/10/2004	PROJECT NO. 03-92
DRAWN BY: RLR	
CHECKED BY: JDG	
REVISED 1/18/2005	
SHEET 2 OF 3	

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., L.S. LICENSE #8419 DATE 1/31/05

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

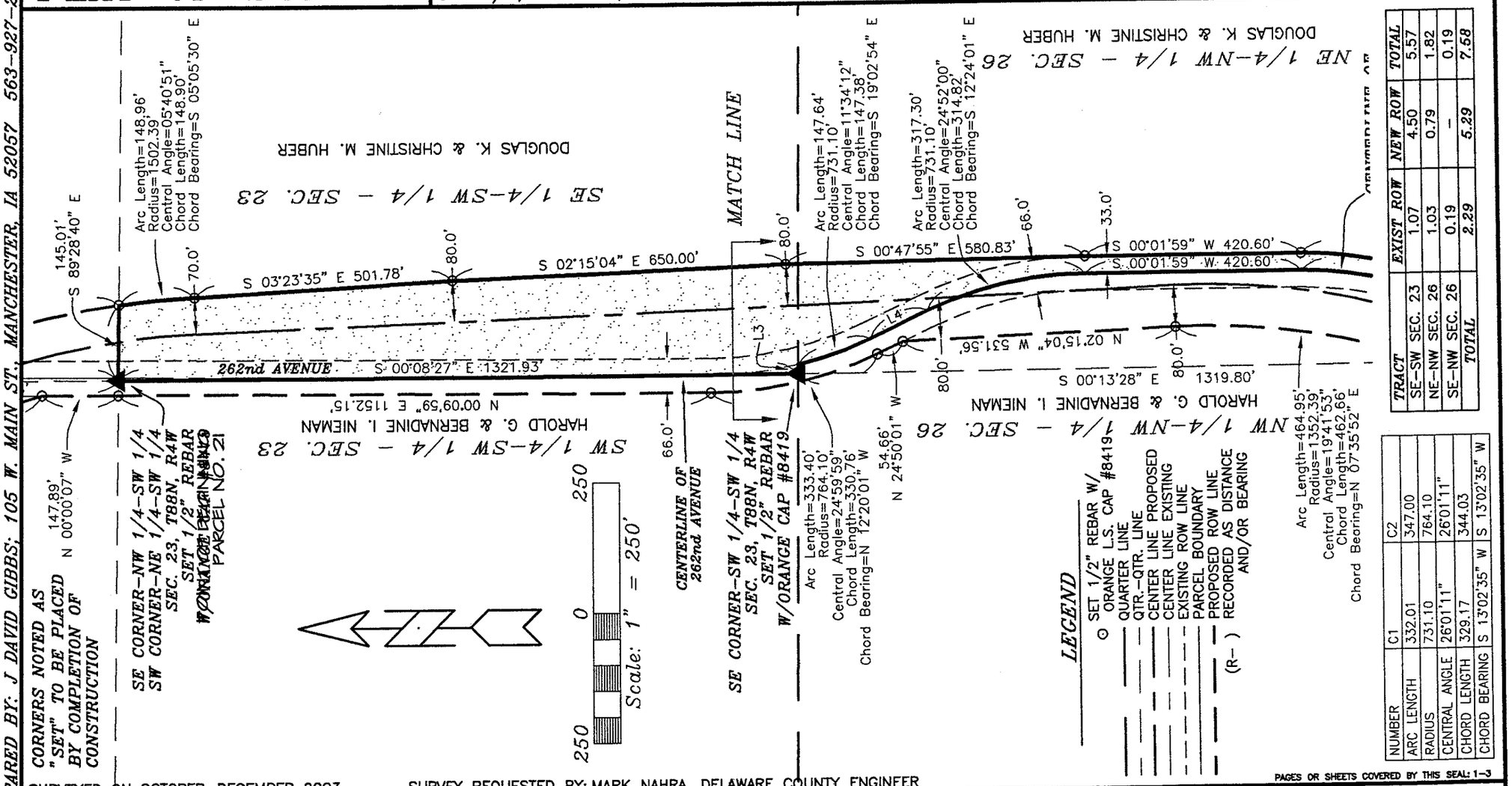
GIBBS ENGINEERING & SURVEYING 105 WEST MAIN STREET, MANCHESTER, IA 52057

BOOK 2005 PAGE 347

PLAT OF SURVEY

PARCEL NO. 21–PROJECT NO. L–C–04(01)––73–28, PART OF SE 1/4–SW 1/4, SEC. 23, & NW 1/4, SEC. 26, ALL IN T88N, R4W OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

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



TRACT	EXIST ROW	NEW ROW	TOTAL
SE–SW SEC. 23	1.07	4.50	5.57
NE–NW SEC. 26	1.03	0.79	1.82
SE–NW SEC. 26	0.19	–	0.19
TOTAL	2.29	5.29	7.58

NUMBER	C1	C2
ARC LENGTH	332.01	347.00
RADIUS	731.10	764.10
CENTRAL ANGLE	26°01'11"	26°01'11"
CHORD LENGTH	329.17	344.03
CHORD BEARING	S 13°02'35" W	S 13°02'35" W

CORNERS NOTED AS "SET" TO BE PLACED BY COMPLETION OF CONSTRUCTION

LEGEND

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

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

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MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

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

LEGAL DESCRIPTON:

PARCEL NO. 21, *PROJECT NO. L-G-04(01)--73-28, PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION TWENTY-THREE (23), AND PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-SIX (26), ALL IN TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total 7.58 acres, including 2.29 acres of existing public road right of way, and more particularly described as follows;

BEGINNING at the Northwest Corner of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-three (23), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Northerly Line of Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-three (23), South 89° 28' 40" East, 145.01 feet;

THENCE along a circular curve concave Westerly for an arc length of 148.96 feet, said circular curve having a radius of 1502.39 feet, a central angle of 05° 40' 51", a chord length of 148.90 feet, and a chord bearing of South 05° 05' 30" East;

THENCE South 03° 23' 35" East, 501.78 feet;

THENCE South 02° 15' 04" East, 650.00 feet;

THENCE South 00° 47' 55" East, to the Easterly Line of 262nd Avenue, 580.83 feet;

THENCE along the Easterly Line of 262nd Avenue, South 00° 01' 59" West, 420.60 feet;

THENCE continuing along the Easterly Line of 262nd Avenue along a circular curve concave Westerly for an arc length of 347.00 feet, said circular curve having a radius of 764.10 feet, a central angle of 26° 01' 11", a chord length of 344.03 feet, and a chord bearing of South 13° 02' 35" West;

THENCE continuing along the Easterly Line of 262nd Avenue, South 26° 03' 10" West, to the Westerly Line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Twenty-six (26), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa, 305.53 feet;

THENCE along the Westerly Line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Section Twenty-six (26), North 00° 13' 28" West, to the centerline of 262nd Avenue, 74.54 feet;

THENCE along the centerline of 262nd Avenue, North 26° 03' 10" East, 238.69 feet;

THENCE continuing along the centerline of 262nd Avenue along a circular curve concave Westerly for an arc length of 332.01 feet, said circular curve having a radius of 731.10 feet, a central angle of 26° 01' 11", a chord length of 329.17 feet, and a chord bearing of North 13° 02' 35" East;

THENCE continuing along the centerline of 262nd Avenue, North 00° 01' 59" East, 420.60 feet;

THENCE continuing along the centerline of 262nd Avenue along a circular curve concave Westerly for an arc length of 317.30 feet, said circular curve having a radius of 731.10 feet, a central angle of 24° 52' 00", a chord length of 314.82 feet, and a chord bearing of North 12° 24' 01" West;

THENCE continuing along the centerline of 262nd Avenue, North 24° 50' 01" West, 123.30 feet;

THENCE continuing along the centerline of 262nd Avenue along a circular curve concave Easterly for an arc length of 147.64 feet, said circular curve, having a radius of 731.10 feet, a central angle of 11° 34' 12", a chord length of 147.38 feet, and a chord bearing of North 19° 02' 54" West to the Southerly Line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-three (23);

THENCE along the Southerly Line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-three (23), North 89° 27' 56" West, to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-three (23) 17.81 feet;

THENCE along the Westerly Line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-three (23), North 00° 08' 27" West, 1321.93 feet to the **POINT OF BEGINNING**;

Containing a total 7.58 acres, including 2.29 acres of existing public road right of way.

The Westerly Line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-three (23), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 00° 08' 27" West.

DELAWARE COUNTY IOWA
FILED ✓

2005 JA 31 PM 3:01

BOOK 2005 PAGE 348
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
12.00

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

JAN 31 2005

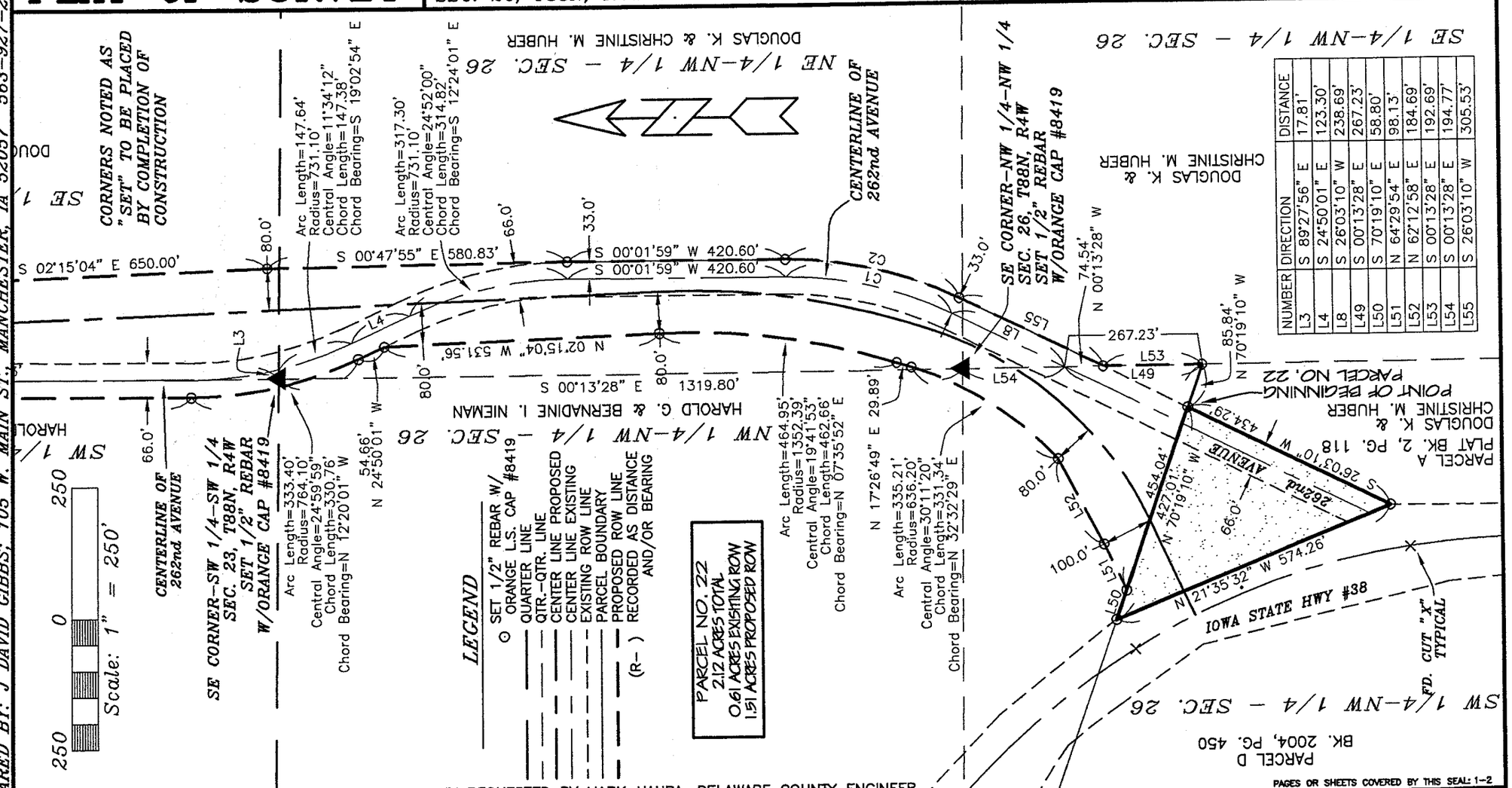
FILED
SHARON
DELAWARE

JAN 31 2005

PLAT OF SURVEY

PARCEL NO. 22–PROJECT NO. L-C-04(01)--73-28, PART OF PARCEL A IN THE SW 1/4-NW 1/4, SEC. 26, T88N, R4W OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

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



NUMBER	DIRECTION	DISTANCE
L3	S 89°27'56" E	17.81'
L4	S 24°50'01" E	123.30'
L8	S 26°03'10" W	238.69'
L49	S 00°13'28" E	267.23'
L50	S 70°19'10" E	58.80'
L51	N 64°29'54" E	98.13'
L52	N 62°12'58" E	184.69'
L53	S 00°13'28" E	192.69'
L54	S 00°13'28" E	194.77'
L55	S 26°03'10" W	305.53'

LEGEND

- SET 1/2" REBAR W/ ORANGE L.S. CAP #8419
- QUARTER LINE
- QTR.-QTR. LINE
- CENTER LINE PROPOSED
- CENTER LINE EXISTING
- EXISTING ROW LINE
- PARCEL BOUNDARY
- PROPOSED ROW LINE
- (R-) RECORDED AS DISTANCE AND/OR BEARING

PARCEL NO. 22
2.12 ACRES TOTAL
0.61 ACRES EXISTING ROW
1.51 ACRES PROPOSED ROW

Scale: 1" = 250'
250 0 250

SURVEYED ON: OCTOBER–DECEMBER 2003

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

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DATE: 8/10/2004	PROJECT NO. 03-92
DRAWN BY: RLR	
CHECKED BY: JDG	
REVISED 1/18/2005	
SHEET 1 OF 2	

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J. DAVID GIBBS, P.E., L.S. LICENSE #8419 DATE 1/31/05

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

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

BOOK 2005 PAGE 348

LEGAL DESCRIPTON:

PARCEL NO. 22, *PROJECT NO. L-G-04(01)--73-28, PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-SIX (26), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total 2.12 acres, including 0.61 acres of existing public road right of way, and more particularly described as follows;

COMMENCING at the Southeast Corner of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Twenty-six (26), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Easterly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Twenty-six (26), South 00° 13' 28" East, to the centerline of 262nd Avenue, 194.77 feet;

THENCE continuing along the Easterly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Twenty-six (26), South 00° 13' 28" East, 267.23 feet;

THENCE North 70° 19' 10" West, to the Easterly Line of 262nd Avenue, 85.84 feet, the **POINT OF BEGINNING**;

THENCE along the Easterly Line of 262nd Avenue, South 26° 03' 10" West, to the Easterly Line of Iowa State Highway #38, as recorded in L.D. Book 71, Page 401 in the Office of the Delaware County Recorder, 434.29 feet;

THENCE along the Easterly Line of Iowa State Highway #38, North 21° 35' 32" West, 574.26 feet;

THENCE South 70° 19' 10" East, 427.01 feet to the **POINT OF BEGINNING**;

Containing a total 2.12 acres, including 0.61 acres of existing public road right of way.

The Easterly Line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Twenty-six (26), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 13' 28" East.