DELAWARE CO. AUDITOR

Entered for taxation 17th day of March A.D. 2005
Sharon Nichols Auditor
By [illegible] Deputy
88-69; 88-76

Justin D. Nieman
to
Delaware County

Book 2005 Page 854
Document 2005 854 Type 03 06 Pages 3
Date 3/14/2005 Time 8:17 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 - 338

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

Justin D. Nieman

In consideration of the lump sum of Eighteen thousand and 00/100 DOLLARS ($18,000.00), 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 L-G-04(01)—73-28. Said plat is part of the NE ¼ -NE1/4 of Section 22 and part of the SE ¼ - SE1/4 of Section 15, T88N, R4W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat.

and **Justin D. Nieman** hereby covenant with the said Delaware County that **Justin D. Nieman** 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 **Justin D. Nieman** have good and lawful authority to sell and convey the same, and **Justin D. Nieman** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 21st day of January A.D. 2005

STATE OF IOWA)
Delaware County)s.s
)

Justin D. Nieman
Landowner(s) of Record

On this 21st day of January A.D. 2005, before me, the undersigned Notary Public, personally appeared to me known **Justin D. Nieman** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Justin D. Nieman** 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 ✓

2005 JA 31 PM 2:5

BOOK 2005 PAGE 338
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
12.00

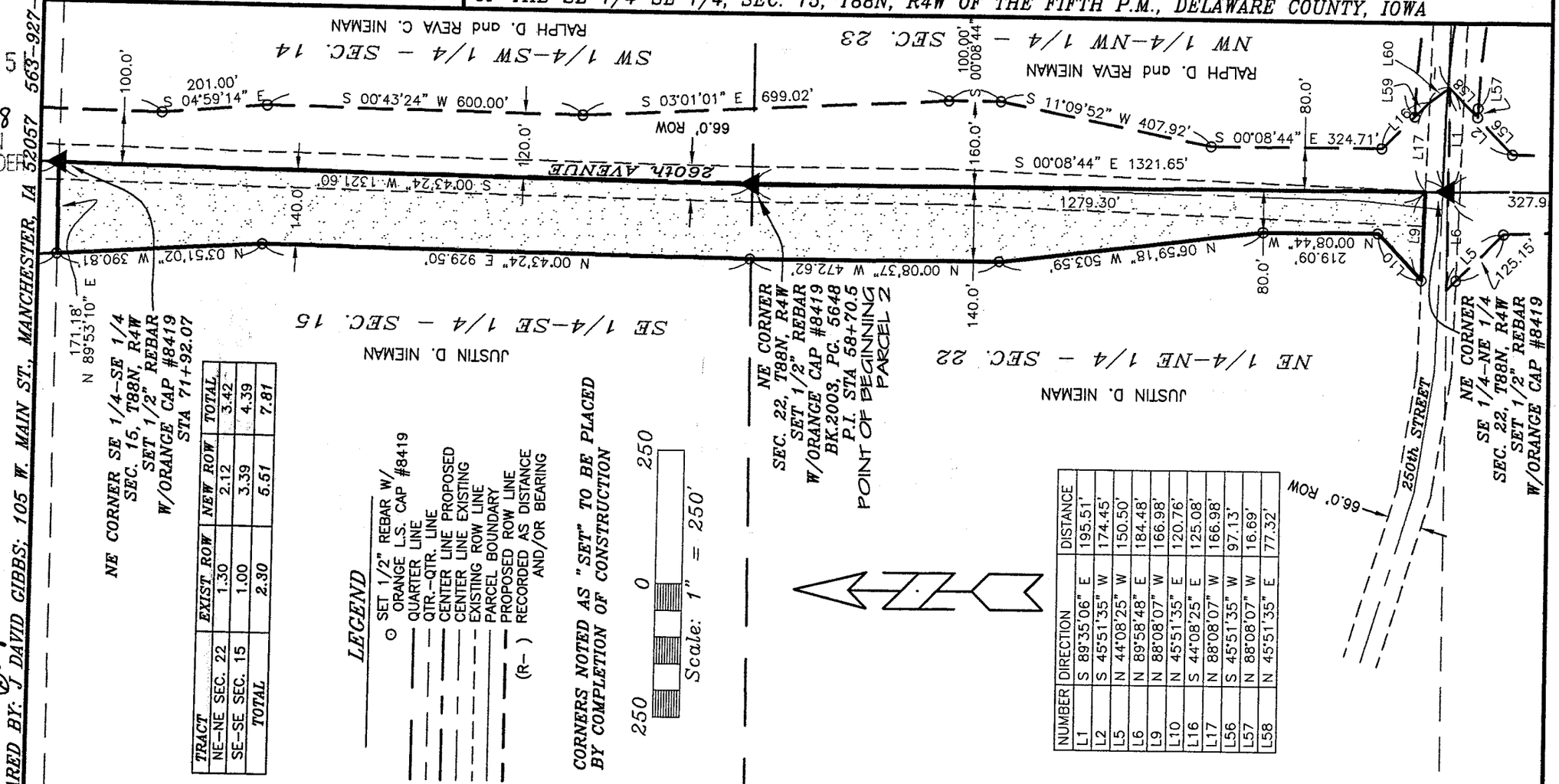
FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

JAN 31 2005

JAN 31 2005

PLAT OF SURVEY

PARCEL NO. 2–PROJECT NO. L–G–04(01)--73–28, PART OF THE NE 1/4–NE 1/4 OF SEC. 22, & PART OF THE SE 1/4–SE 1/4, SEC. 15, T88N, R4W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



TRACT	EXIST. ROW	NEW ROW	TOTAL
NE–NE SEC. 22	1.30	2.12	3.42
SE–SE SEC. 15	1.00	3.39	4.39
TOTAL	2.30	5.51	7.81

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

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

250 0 250
Scale: 1" = 250'

NUMBER	DIRECTION	DISTANCE
L1	S 89°35'06" E	195.51'
L2	S 45°51'35" W	174.45'
L5	N 44°08'25" W	150.50'
L6	N 89°58'48" E	184.48'
L9	N 88°08'07" W	166.98'
L10	N 45°51'35" E	120.76'
L16	S 44°08'25" E	125.08'
L17	N 88°08'07" W	166.98'
L56	S 45°51'35" W	97.13'
L57	N 88°08'07" W	16.69'
L58	N 45°51'35" E	77.32'

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: JUSTIN D. NIEMAN
DATE: 3/9/2004	PROJECT NO. 03–92
DRAWN BY: RLR	
CHECKED BY: JDG	
REVISED 1/18/2005	
SHEET 1 OF 2	

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 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

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LEGAL DESCRIPTON:

PARCEL NO. 2, *PROJECT NO. L-G-04(01)--73-28, PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION TWENTY-TWO (22), AND PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION FIFTEEN(15), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total 7.81 acres, including 2.30 acres of existing public road right of way, and more particularly described as follows;

BEGINNING at the Northeast Corner of Section Twenty-two (22), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa

THENCE along the Easterly Line of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of said Section Twenty-two (22), South 00° 08' 44" East, to the Northerly Line of 250th Street, 1279.30 feet;

THENCE along the Northerly Line of 250th Street, North 88° 08' 07" West, 166.98 feet;

THENCE North 45° 51' 35" East, 120.76 feet;

THENCE North 00° 08' 44" West, 219.09 feet;

THENCE North 06° 59' 18" West, 503.59 feet;

THENCE North 00° 08' 37" West, 472.62 feet;

THENCE North 00° 43' 24" East, 929.50 feet;

THENCE North 03° 51' 02" West, 390.81 feet;

THENCE North 89° 53' 10" East, to the Northeasterly Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Fifteen (15), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa, 171.18 feet;

THENCE along the Easterly Line of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of said Section Fifteen (15), South 00° 43' 24" West, 1321.60 feet to the **POINT OF BEGINNING**;

Containing a total 7.81 acres, including 2.30 acres of existing public road right of way.

The Easterly Line of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Twenty-two (22), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 08' 44" East.