DELAWARE CO. AUDITOR

Donald J. & Carlyn M. Hoeger to Delaware County

Entered for taxation 17th day of March A.D., 2005
Sharon McCuskey Auditor
By Cindy Reeke Deputy
88-69

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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

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

Donald J. Hoeger and Carlyn M. Hoeger

In consideration of the lump sum of ten thousand one and 42/100 DOLLARS ($10,001.42), 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 5 for project number L-G-04(01)—73-28. Said plat is part of the SE ¼-NE ¼ Section 15, T88N, R4W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat.

BHL - 2005

and **Donald J. Hoeger and Carlyn M. Hoeger** hereby covenant with the said Delaware County that **Donald J. Hoeger and Carlyn M. Hoeger** 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 **Donald J. Hoeger and Carlyn M. Hoeger** have good and lawful authority to sell and convey the same, and **Donald J. Hoeger and Carlyn M. Hoeger** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 4th day of February A.D. 2005

STATE OF IOWA)
Delaware County)s.s
)

Donald J. Hoeger

Carlyn M. Hoeger

Landowner(s) of Record

On this 4th day of February A.D. 2005, before me, the undersigned Notary Public, personally appeared to me known **Donald J. Hoeger and Carlyn M. Hoeger** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Donald J. Hoeger and Carlyn M. Hoeger** 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

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

FILED
MACON McCRARY
RECORDER

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MAR 4 2005

MAR 4 2005

DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

PLAT OF SURVEY

PARCEL NO. 5-PROJECT NO. L-C-04(01)--73-28
PART OF THE SE 1/4-NE 1/4, SEC. 15, T88N, R4W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

SURVEYED ON: OCTOBER-DECEMBER 2003

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

PROPRIETORS: DONALD J. HOEGER & CARLYN M. HOEGER

SCALE: 1"=250'

DATE: 3/9/2004

DRAWN BY: RLR

CHECKED BY: JDG

REVISED 1/18/2005

SHEET 1 OF 2

250 0 250

Scale: 1" = 250'

SE-NE SEC. 15	
EXIST ROW	1.58
NEW ROW	2.86
TOTAL	4.44

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

NE CORNER
SEC. 15, T88N, R4W
FD. 1/2" REBAR
W/YELLOW CAP #12642
BK. 2000, PG. 2098
P.I. STA 111+49.0

HAROLD G. and BERNADINE I. NIEMAN

SEC. 15

BETTY J. and WALTER F. STEGER
C/P DOUGLAS E. & LISA M. STEGER

N 1/4-NW 1/4
SEC. 14

NE 1/4-NE 1/4

PARCEL A
PLAT BK. 7, PG. 116
NORTHERN NATURAL GAS COMPANY

S 1/2-N 1/2-NW 1/4
SEC. 14

HAROLD G. & BERNADINE I. NIEMAN
C/P RALPH D. & REVA C. NIEMAN

SE CORNER NE 1/4-NE 1/4
SEC. 15, T88N, R4W
FD. 1/2" REBAR
W/YELLOW CAP #12642
BK. 1, PG. 291
P.I. STA 98+33.8

260th AVENUE

SE 1/4-NE 1/4 - SEC. 15
DONALD J. & CARLYN M. HOEGER

SW 1/4-NW 1/4 - SEC. 14
HAROLD G. AND BERNADINE I. NIEMAN
C/P RALPH D. & REVA C. NIEMAN

NUMBER	DIRECTION	DISTANCE
L11	N 62°31'08" W	112.71'
L12	N 00°00'24" E	33.00'
L15	S 45°25'36" W	77.78'
L18	S 89°43'18" E	85.47'
L21	N 00°00'24" E	33.00'
L22	N 74°53'45" E	103.58'
L23	N 89°57'47" E	80.01'
L24	S 89°57'47" W	33.00'
L25	N 89°57'47" W	17.00'
L26	N 00°02'13" E	190.00'
L27	N 89°57'47" W	30.00'
L28	N 00°02'13" E	103.99'
L29	N 89°57'47" E	80.00'

LEGEND

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

POINT OF BEGINNING
PARCEL 5
W 1/4 CORNER
SEC. 14, T88N, R4W
FD. 1/2" REBAR
W/YELLOW CAP
BK. 1, PG. 290
P.I. STA 85+13.7

245th STREET

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 3/4/05

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

PROJECT NO. 03-92

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

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. 5, *PROJECT NO. L-G-04(01)--73-28, PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE 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 4.44 acres, including 1.58 acres of existing public road right of way, and more particularly described as follows;

BEGINNING at the East Quarter Corner of Section Fifteen (15), Township Eighty-eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa, being the intersection of 260th Avenue and 245th Street;

THENCE along the Southerly Line of the Northeast Quarter (NE ¼) of said Section Fifteen (15), North 89° 59' 36" West, 800.00 feet;

THENCE North 00° 00' 24" East, to the Northerly Line of 245th Street, 33.00 feet;

THENCE North 74° 53' 45" East, 103.58 feet;

THENCE South 89° 59' 36" East, 200.00 feet;

THENCE North 81° 28' 34" East, 202.24 feet;

THENCE South 89° 59' 36" East, 180.02 feet;

THENCE North 00° 01' 14" East, 596.36 feet;

THENCE North 03° 37' 55" East, to the Northerly Line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section Fifteen (15), 634.98 feet;

THENCE along the Northerly Line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section Fifteen (15), North 89° 57' 47" East, to the Easterly Line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section Fifteen (15), 80.01 feet;

THENCE along the Easterly Line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section Fifteen (15), South 00° 01' 14" West, 1320.13 feet to the **POINT OF BEGINNING**;

Containing a total 4.44 acres, including 1.58 acres of existing public road right of way.

The Easterly Line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section Fifteen (15), Township Eighty-eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa, is assumed to bear South 00° 01' 14" West.