Del. Co. Hwy.

Entered for taxation 8th day
of July A.D., 2005
Sharon McGibbon Auditor
By Deputy
87-5

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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:

Calvin P. Gibbs and Donna M. Gibbs

In consideration of the lump sum of four thousand three hundred seventy five + 00/100 Dollars ($4375.00), 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 BROS-CO28(55)—8J-28. Said plat is in section 5, township 87N, range 3W and is fully described on the aforementioned plat.

and **Rita Calvin P. Gibbs and Donna M. Gibbs** hereby covenant with the said Delaware County that **Calvin P. Gibbs and Donna M. Gibbs** 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 **Calvin P. Gibbs and Donna M. Gibbs** have good and lawful authority to sell and convey the same, and **Calvin P. Gibbs and Donna M. Gibbs** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 19th day of May A.D. 2005

STATE OF IOWA)
Delaware County)s.s
)

Calvin P. Gibbs
Donna M. Gibbs
Landowner(s) of Record

On this 19th day of May A.D. 2005, before me, the undersigned Notary Public, personally appeared to me known **Calvin P. Gibbs and Donna M. Gibbs** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Calvin P. Gibbs and Donna M. Gibbs** 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

JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

[illegible] McCRABB
[illegible] COUNTY AUDITOR

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Date 5/27/2005 Time 1:24 PM
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MAY 27 2005

MAY 27 2005

DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

PLAT OF SURVEY

PARCEL NO. 2; PROJECT NO. BROS-C028(55)--8J-28
SEC. 5, T87N, R3W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

SW 1/4 — SE 1/4
SEC. 32, T88N, R3W

NW 1/4 — NE 1/4
SEC. 5, T87N, R3W

N

298th AVENUE

280th STREET

N 27°46'38" E 733.78'

13.0'

100.17'
S 45°00'00" E

S 00°34'19" E 457.15'

NE CORNER
SEC. 5, T87N, R3W
SET 1/2" REBAR W/ORANGE CAP #8419

1955.44'

66.0'

63.32'
N 01°24'43" W

N 88°35'17" E 2621.24'
491.36'

174.44'

POINT OF BEGINNING
PARCEL 2

N 67°39'39" W 352.52'

N 1/4 CORNER
SEC. 5, T87N, R3W
SET 1/2" REBAR W/ORANGE CAP #8419

S 01°32'55" W 202.19'

66.0'

PARCEL NO. 2
3.182 ACRES TOTAL
1.437 ACRES EXISTING ROW
1.745 ACRES PROPOSED ROW

N 02°31'18" W 798.87'

298th AVENUE

S 04°29'40" W 749.55'

66.00'
N 85°30'20" W

150 0 150
Scale: 1" = 150'

LEGEND

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

SURVEYED ON: 1/27 & 5/24/2005

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

PROPRIETORS:
CALVIN P. GIBBS & DONNA M. GIBBS

PROJECT NO.
05-01

SCALE: 1"=150'
DATE: 2/23/2005
DRAWN BY: RLR
CHECKED BY: JDG
REVISED 5/26/2005
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, P.E., L.S. LICENSE #8419

5/27/05
DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

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 DESCRIPTION:

***PARCEL NO. 2**; PROJECT NO. BROS-CO28(55)—8J-28, SECTION FIVE (5), TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 3.182 acres, including 1.437 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 North Quarter Corner of Section Five (5), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Northerly Line of the Northeast Quarter (NE ¼) of said Section Five (5), North 88° 35' 17" East, 174.44 feet to the **POINT OF BEGINNING**;

THENCE continuing along the Northerly Line of the Northeast Quarter (NE ¼) of said Section Five (5), North 88° 35' 17" East, to the Easterly Line of 298th Avenue, 491.36 feet;

THENCE along the Easterly Line of 298th Avenue, South 01° 32' 55" West, 202.19 feet

THENCE continuing along the Easterly Line of 298th Avenue, South 04° 29' 40" West, 749.55 feet;

THENCE North 85° 30' 20" West, to the Westerly Line of 298th Avenue, 66.00 feet;

THENCE North 02° 31' 18" West, 798.87 feet;

THENCE North 67° 39' 39" West, 352.52 feet to the **POINT OF BEGINNING**;

Containing a total of 3.182 acres, including 1.437 acres of existing public road right of way, and subject to easements of record.

The Northerly Line of the Northeast Quarter (NE ¼) of Section Five (5), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 88° 35' 17" East.