Entered for taxation 7th day
of September A.D. 2005
Sharon McCrabb Auditor
By A. Schmidt, Deputy
89-207

Book 2005 Page 3176
Document 2005 3176 Type 03 006 Pages 3
Date 9/06/2005 Time 2:42 PM
Rec Amt $.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

THIS DOCUMENT WAS PREPARED BY MARK NAHRA, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38., DELAWARE, IA 52036, 563-927-3505

RETURN TO: DELAWARE COUNTY AUDITOR 301 EAST MAIN ST. MANCHESTER, IA 52057

EASEMENT FOR PUBLIC HIGHWAY

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

Matthew R. Nieman

In consideration of the lump sum of Two hundred ten and 00/100 ——— Dollars ($210.00), 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 1 for project number LC-05(01)—73-28. Said plat is in section 18, township 89N, range 6W of the Fifth P. M. and is fully described on the aforementioned plat. **AS RECORDED IN BOOK 2005, PAGE 2781**

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

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

STATE OF IOWA)
Delaware County)s.s
)

Matthew R. Nieman
Landowner(s) of Record

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

FILED
SHARON McCORMICK
DELAWARE COUNTY AUDITOR

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

Book 2005 Page 2781

Document 2005 2781 Type 06 002 Pages 2
Date 8/09/2005 Time 3:27 PM
Rec Amt $12.00

DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

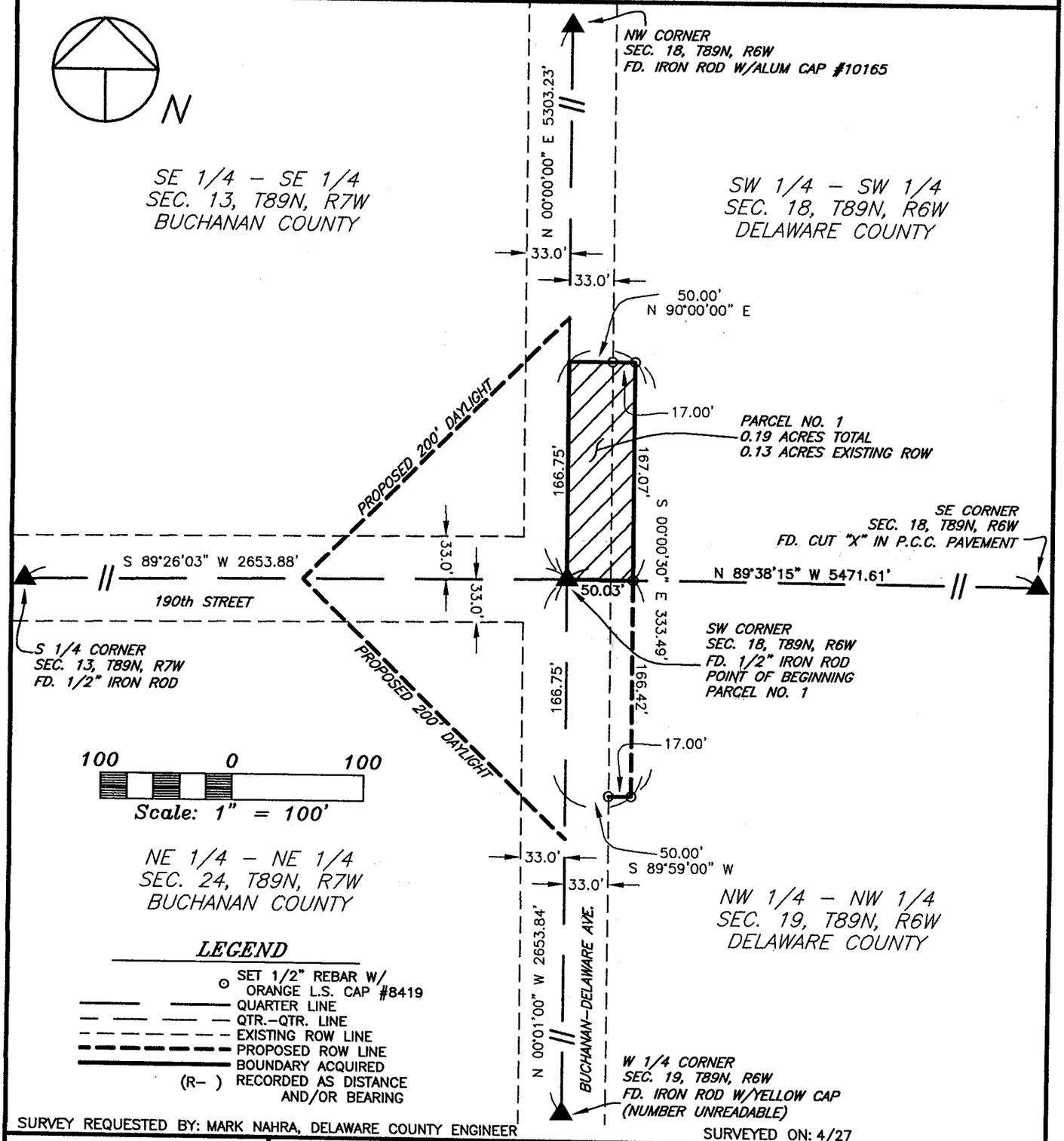
AUG 9 2005

AUG 9 2005

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

PLAT OF SURVEY

PARCEL NO. 1, PROJECT LC-05(01)--73-28 PART OF THE SW 1/4-SW 1/4 SEC. 18, T89N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



LEGEND

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

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

SURVEYED ON: 4/27

PROPRIETORS: MATTHEW R. NIEMAN

PROJECT NO. 05-21

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. LIC. #8419 DATE 8/9/05

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

SCALE: 1"=100'
DATE: 6/7/2005
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 2

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

BOOK 2005 PAGE 2781

LEGAL DESCRIPTION:

PARCEL NO. 1, *PROJECT NO. LC-05(01)—73-28, PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION EIGHTEEN (18), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 0.19 acres, including 0.13 acres of existing public road right of way, subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the Southwest Corner of Section Eighteen (18), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of the Southwest Quarter (SW ¼) of said Section Eighteen (18), North 00° 00' 00" East, 166.75 feet;

THENCE North 90° 00' 00" East, 50.00 feet;

THENCE South 00° 00' 30" East, to the Southerly Line of the Southwest Quarter (SW ¼) of said Section Eighteen (18), 167.07 feet;

THENCE along the Southerly Line of the Southwest Quarter (SW ¼) of said Section Eighteen (18), North 89° 38' 15" West, 50.03 feet to the **POINT OF BEGINNING**;

Containing a total of 0.19 acres, including 0.13 acres of existing public road right of way, subject to easements of record.

The Westerly Line of the Southwest Quarter (SW ¼) of Section Eighteen (18), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 00° 00' 00" East.