Mail to Auditor

Entered for taxation 30th day
of November A.D., 2005
Sharon McCrabb, Auditor
D. A. Schmidt, Deputy
90-206

Book 2005 Page 4226

Document 2005 4226 Type 03 006 Pages 3
Date 11/29/2005 Time 9:03 AM
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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 E. MAIN STREET, MANCHESTER, IA 52057

EASEMENT FOR PUBLIC HIGHWAY

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

Loras J. Heims and Celeste Heims

In consideration of the lump sum of One thousand two hundred forty and 46/100 DOLLARS ($1240.46), 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 4 for project number LOST-05(01)—73-28. Said plat is part of SW ¼ -SW ¼ and part of the NW ¼ - SW ¼, in Section 26, T90N, R6W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat as recorded in book 2005, page 3607.

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

Signed on this 5th day of October A.D. 2005

STATE OF IOWA)
Delaware County)s.s
)

Loras J Heims

Celeste Heims

Landowner(s) of Record

On this 5th day of October A.D. 2005, before me, the undersigned Notary Public personally appeared to me known **Loras J. Heims and Celeste Heims** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Loras J. Heims and Celeste Heims** 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

OCT 5 2005

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

OCT 5 2005

Book 2005 Page 3607

Document 2005 3607 Type 06 002 Pages 2
Date 10/05/2005 Time 4:03 PM
Rec Amt $12.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

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

PLAT OF SURVEY

PARCEL NO. 4; PROJECT NO. LOST-05(01)--73-28
PART OF THE SW 1/4 - SW 1/4, AND PART OF THE NW 1/4 - SW 1/4,
ALL IN SEC. 26, T90N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

PROPRIETORS:
LORAS J. HEIMS & CELESTE HEIMS

SCALE: 1"=250'
DATE: 8/3/2005
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
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.
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

LICENSE #8419

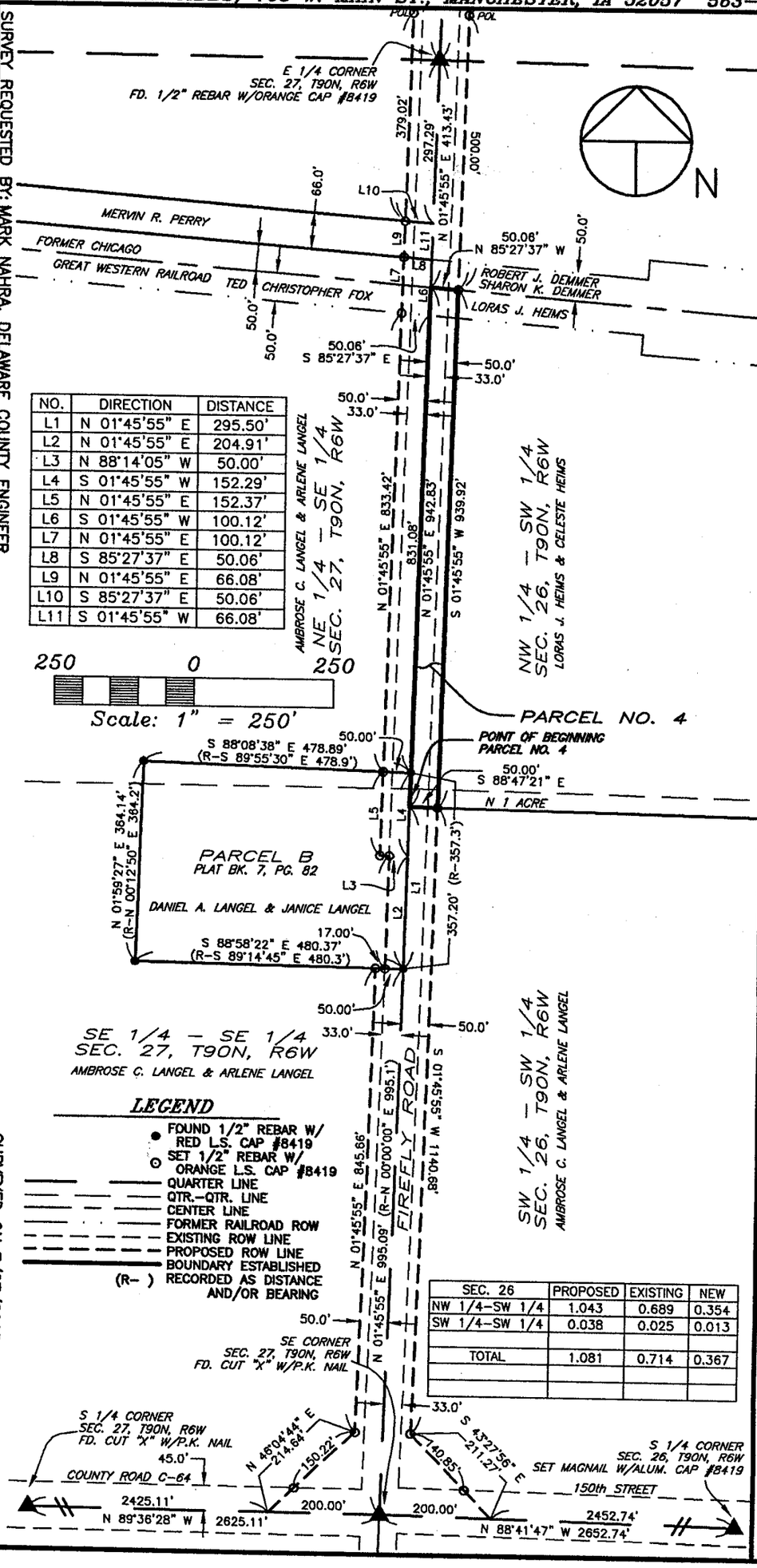
10/5/05
DATE

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

SURVEYED ON: 7/27/2005
PROJECT NO. 05-52

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA



NO.	DIRECTION	DISTANCE
L1	N 01°45'55" E	295.50'
L2	N 01°45'55" E	204.91'
L3	N 88°14'05" W	50.00'
L4	S 01°45'55" W	152.29'
L5	N 01°45'55" E	152.37'
L6	S 01°45'55" W	100.12'
L7	N 01°45'55" E	100.12'
L8	S 85°27'37" E	50.06'
L9	N 01°45'55" E	66.08'
L10	S 85°27'37" E	50.06'
L11	S 01°45'55" W	66.08'

250 0 250
Scale: 1" = 250'

LEGEND

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

SEC. 26	PROPOSED	EXISTING	NEW
NW 1/4-SW 1/4	1.043	0.689	0.354
SW 1/4-SW 1/4	0.038	0.025	0.013
TOTAL	1.081	0.714	0.367

LEGAL DESCRIPTION:

PARCEL NO. 4; *PROJECT NO. LOST-05(01)—73-28, PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼), AND PART OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETY NORTH (T90N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA;* containing a total of 1.081 acres, including 0.714 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 Southwest Corner of Section Twenty-six (26), Township Ninety North (T90N), 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 Twenty-six (26), North 01° 45' 55" East, to the Southeast Corner of Parcel B, as recorded in Book 7 of Plats, Page 82 in the Office of the Delaware County Recorder 995.09 feet;

THENCE continuing along the Westerly Line of the Southwest Quarter (SW ¼) of said Section Twenty-six (26), and Easterly Line of said Parcel B, also being the Southwest Corner of the North One Acre of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-six (26), North 01° 45' 55" East, 295.50 feet to the **POINT OF BEGINNING**;

THENCE continuing along the Westerly Line of the Southwest Quarter (SW ¼) of said Section Twenty-six (26), North 01° 45' 55" East, to the centerline of the former Chicago Great Western Railroad, 942.83 feet;

THENCE along the centerline of the former Chicago Great Western Railroad, South 85° 27' 37" East, 50.06 feet;

THENCE South 01° 45' 55" West, to the Southerly Line of the North One (1) Acre of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-six (26), 939.92 feet;

THENCE along the Southerly Line of the North One (1) Acre of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-six (26), North 88° 47' 21" West, 50.00 feet to the **POINT OF BEGINNING**;

Containing a total of 1.081 acres, including 0.714 acres of existing public road right of way, subject to easements of record.

The Easterly Line of Section Twenty-seven (27), Township Ninety North (T90N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 01° 45' 55" East.