Entered for taxation 14th day
of September A.D., 2006
Sharon McCrabb, Auditor
By A. Schmidt, Deputy
Parcel #050-06-00-004-00

90-66

Book 2006 Page 3370

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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

Iowa Department of Transportation

CHG. ENV. ⊗

Preparer Info Return to.: Belinda H. Merritt, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010, 515-239-1217
Address Tax Statements: Property Management Supvr., Office of Right of Way, 800 Lincoln Way, Ames, IA 50010

Form 635-054

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of Five hundred and no/100 ($500.00) -----Dollars and other valuable consideration in hand paid by Iowa Department of Transportation, **RICKY L. KUHLMAN AND JANE A. KUHLMAN,** his wife, **AND REID E. KUHLMAN AND JANE M. KUHLMAN,** his wife, do hereby grant to the **STATE OF IOWA,** a permanent easement for road purposes and for use as a Public Highway in, to, on, over and across real estate in Delaware County, Iowa:

THE EASEMENT GRANTED FOR HIGHWAY PURPOSES IS TO LAND DESCRIBED AS FOLLOWS:

Two parcels of land located in the NW Fractional 1/4 NW1/4 of Section 6, Township 90 North, Range 4 West of the 5th P.M., Delaware County, Iowa as shown on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof.

Parcel "A" is described as follows:

Commencing at the NW Corner of said Section 6; thence S 1°15'38"E, 453.46 feet, on the west line of said NW Fractional 1/4 NW1/4, the Point of Beginning; thence continuing S 1°15'38"E, 58.19 feet, on said west line, to a point on the present easterly right of way line of Primary Road No. 3; thence southeast 73.95 feet on said present easterly right of way line and a 941.50 foot radius curve concave westerly and having a Chord Bearing S 22°56'30"E, 73.93 feet with a central angle of 4°30'00", to a point on the present northwesterly right of way line of 221st Avenue; thence N 26°02'58"E, 87.96 feet, on said present northwesterly right of way line; thence N 55°30'00"W, 83.39 feet, to the Point of Beginning; containing 0.10 acre.

NOTE : The west line of the NW Fractional 1/4 NW1/4 of said Section 6 is assumed to bear S 1°15'38"E for the purpose of this description.

Parcel "B" is described as follows:

Commencing at the SW Corner of the NW Fractional 1/4 NW1/4 of said Section 6; thence N 1°15'38"W, 642.28 feet, on the west line of said NW Fractional 1/4 NW1/4; thence N 88°44'22"E, 56.91 feet, to a point on the present easterly right of way line of Primary Road No. 3, the Point of Beginning; thence N 76°34'48"E, 40.00 feet; thence N 11°52'05"E, 76.44 feet; thence N 33°55'44"W, 35.74 feet, to a point on the southeasterly right of way line of 221st Avenue; thence S 23°11'45"W, 101.22 feet, on said present southeasterly right of way line, to a point on said present easterly right of way line; thence southerly 21.35 feet, on said present easterly right of way line and a 941.50 foot radius curve concave westerly and having a Chord Bearing S 14°04'05"E, 21.35 feet with a central angle of 1°17'58", to the Point of Beginning; containing 0.08 acre.

Delaware County Project No. STPN-3-8(37)—2J-28
Ricky L. Kuhlman, et al (Parcel 1)

NOTE : The west line of the NW Fractional 1/4 NW1/4 of said Section 6 is assumed to bear N 1°15'38"W for the purpose of this description.

This easement is given in fulfillment of a certain purchase agreement dated August 7, 2006, and recorded in the Delaware County Recorder's Office on August 17, 2006, in Book 2006, Page 2993, except those terms that survive the execution of this document.

The additional amount of $880.00, as agreed to by purchase agreement, is paid as severance damages to the remaining property.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

This land is being acquired for public purposes through eminent domain and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the easement.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated 7-20, 20 06. **(SIGN IN INK)**

Ricky L. Kuhlman

Jane A. Kuhlman

Reid E. Kuhlman

Jane M. Kuhlman

NOTARY PLEASE COMPLETE LEFT AND RIGHT SIDES)

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF Iowa, COUNTY OF Delaware } ss.

On this 20th day of July, A.D. 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared

Ricky L. Kuhlman - Jane A. Kuhlman
✓ Reid E. Kuhlman - Jane M. Kuhlman

___to me personally known

or ___proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

(SEAL) Sally A. Johnson (Sign in Ink)

SALLY A. JOHNSON (Print/Type Name)

Notary Public in and for the State of

SALLY A JOHNSON
Notarial Seal - Iowa
Commission # 196703
My Commission Expires 6/1/07

CAPACITY CLAIMED BY SELLER:

☒ INDIVIDUAL

__CORPORATE

Titles of Corporate Officer(s):

__Corporate Seal is affixed

__No Corporate Seal procured

__PARTNERSHIP: _Limited _General

__ATTORNEY-IN-FACT

__EXECUTOR(s) or TRUSTEE(s)

__GUARDIAN(s) or CONSERVATOR(s)

__OTHER:

SELLER IS REPRESENTING:

Names of entity(ies) or person(s)

Delaware County Project No. STPN-3-8(37)—2J-28
Ricky L. Kuhlman, et al (Parcel 1)

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "A"

COUNTY DELAWARE STATE CONTROL NO. _____

PROJECT NO. STPN-3-8(37)--2J-28 PARCEL NO. 1

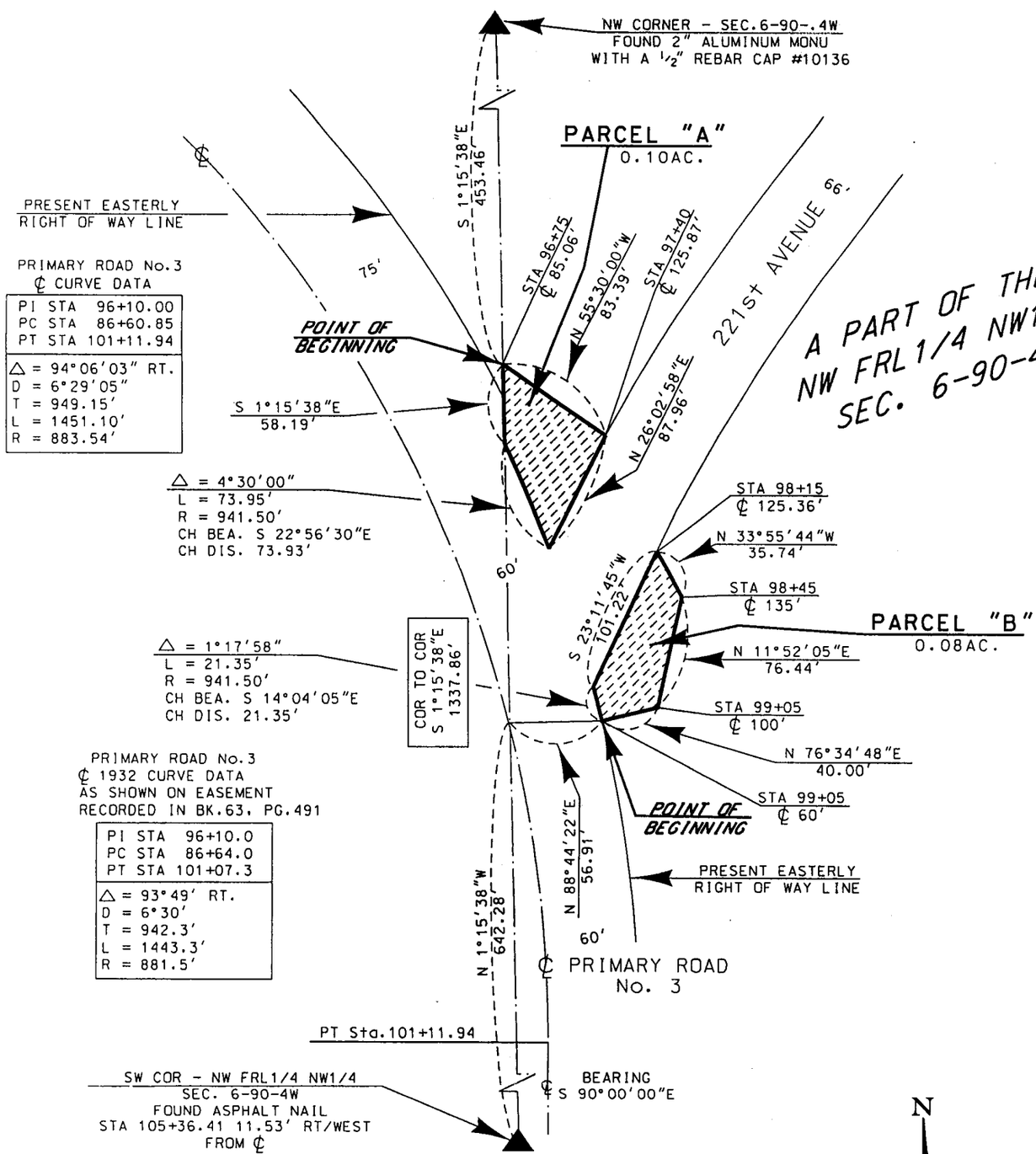
SECTION 6 TOWNSHIP 90 NORTH RANGE 4W

ROW-FEE _____ AC. EASE 0.18 AC EXCESS-FEE _____ AC

ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE

ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE

ACQUIRED FROM _____



LICENSED LAND SURVEYOR
DENNIS R. KUNZE
10679
IOWA

I hereby certify that this land surveying document was prepared 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.

Dennis R. Kunze 5-12-2006

DENNIS R. KUNZE DATE:

License number 10679

My license renewal date is December 31, 2006

Pages covered by this seal:

EXHIBIT "A"

DATE DRAWN MAY 12, 2006 SCALE 1" = 100'