Entered for taxation 21st day
of November A.D., 2006
Carla Becker, Auditor
By A. Schmidt, Deputy
Parcel #070-03-00-002-00
90-123

Book 2006 Page 4107
Document 2006 4107 Type 03 006 Pages 4
Date 11/20/2006 Time 9:16:26AM
Rec Amt $22.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

Iowa Department of Transportation

Chg
EWS
X

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 Four hundred and 00/100 - ($400.00)-----Dollars and other valuable consideration in hand paid by Iowa Department of Transportation, **THOMAS L. FUNK,** single, **AND STEVEN FUNK,** single, 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 Fractional1/4 NW1/4 and in the NE Fractional 1/4 NW1/4 of Section 3, Township 90 North, Range 5 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:
Commencing at the NW Corner of said Section 3; thence N 89°58'07"E, 827.21 feet, on the north line of said NW Fractional1/4 NW1/4; thence S 0°01'53"E, 55.00 feet, to a point on the present southerly right of way line of Primary Road No. 3, the Point of Beginning; thence S 0°00'00"E, 22.76 feet; thence N 90°00'00"E, 70.00 feet; thence N 0°00'00"E, 22.80 feet, to a point on said present southerly right of way line; thence S 89°58'07"W, 70.00 feet, on said present southerly right of way line, to the Point of Beginning; containing 0.04 acre.

NOTE : The north line of the NW Fractional1/4 NW1/4 of said Section 3 is assumed to bear N 89°58'07"E for the purpose of this description.

Parcel "B" is described as:
Commencing at the NW Corner of said Section 3; thence N 89°58'07"E, 1512.18 feet, on the north line of said NW Fractional1/4; thence S 0°01'53"E, 55.00 feet, to a point on the present southerly right of way line of Primary Road No. 3, the Point of Beginning; thence N 89°58'07"E, 215.00 feet, on said present southerly right of way line; thence S 73°26'08"W, 99.11 feet; thence N 90°00'00"W, 60.00 feet; thence N 64°52'28"W, 66.27 feet, to the Point of Beginning; containing 0.09 acre.

NOTE : The north line of the NW Fractional1/4 of said Section 3 is assumed to bear N 89°58'07"E for the purpose of this description.

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

This deed is given in fulfillment of a certain purchase agreement dated October 17, 2006, and recorded in the Delaware County Recorder's Office on October 23, 2006, in Book 2006, Page 3791, as Document 2006 3791,except those terms that survive the execution of this document.

The additional amount of $2,350.00, 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 August 23rd, 2006. **(SIGN IN INK)**

Kevin Funk POA
Thomas L. Funk Attorney-in-Fact

Steven T Funk
Steven Funk

(NOTARY PLEASE COMPLETE LEFT AND RIGHT SIDES)

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF Iowa, COUNTY OF Clayton } ss.
On this 23 day of August, A.D. 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Kevin Funk, POA for Thomas L. Funk and Steven T Funk

X 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) Kimberly S. Lange (Sign in Ink)
Kimberly S. Lange (Print/Type Name)
Notary Public in and for the State of Iowa

KIMBERLY S. LANGE
COMMISSION NO. 726765
MY COMMISSION EXPIRES
6-2-09

CAPACITY CLAIMED BY SELLER:

X 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)

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "A"

COUNTY DELAWARE STATE CONTROL NO. _____

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

SECTION 3 TOWNSHIP 90 NORTH RANGE 5 WEST

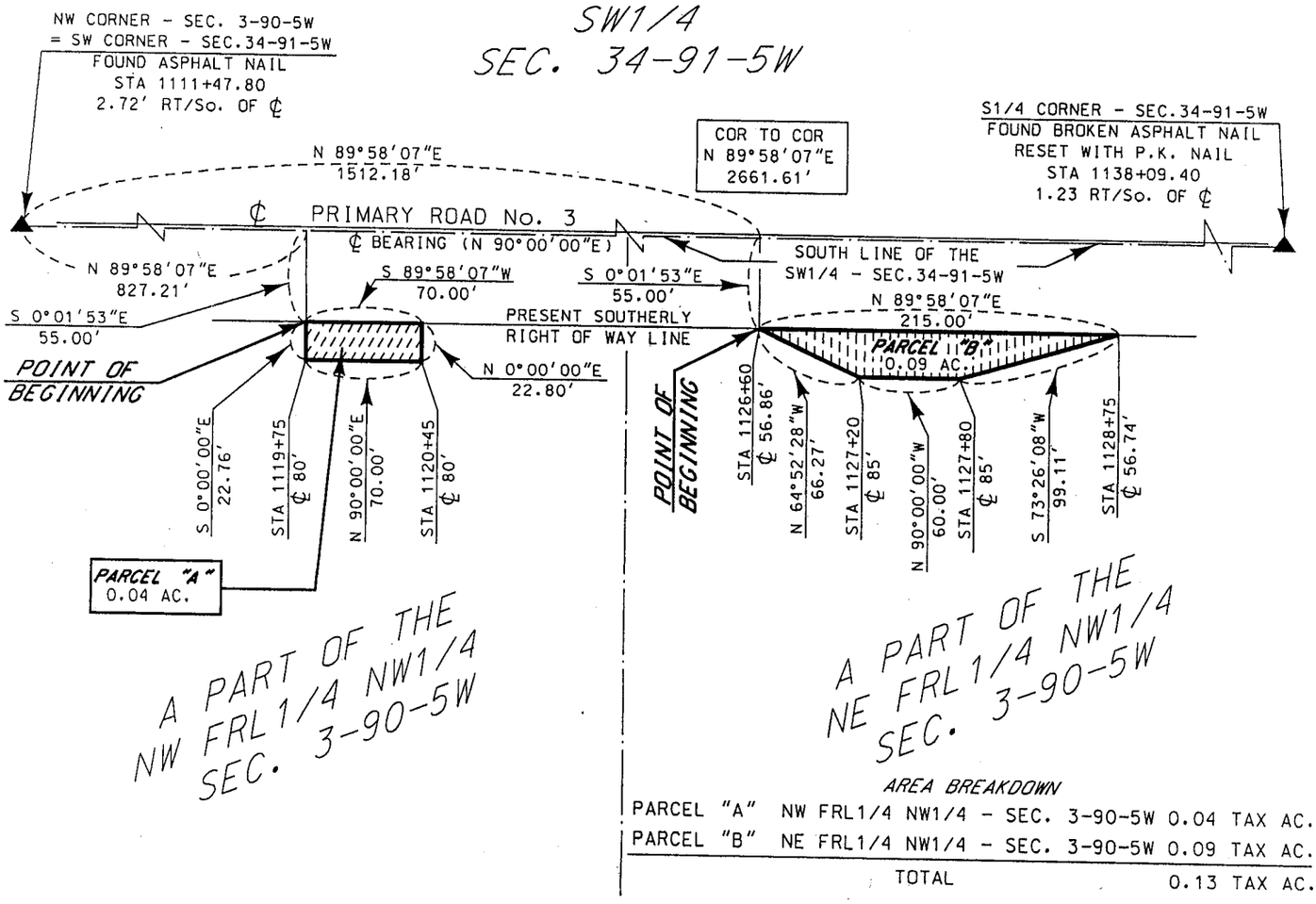
ROW-FEE _____ AC. EASE 0.13 AC EXCESS-FEE _____ AC

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

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

ACQUIRED FROM _____

CLAYTON COUNTY, IOWA



AREA BREAKDOWN

PARCEL "A"	NW FRL1/4 NW1/4 - SEC. 3-90-5W	0.04 TAX AC.
PARCEL "B"	NE FRL1/4 NW1/4 - SEC. 3-90-5W	0.09 TAX AC.
	TOTAL	0.13 TAX AC.

DELAWARE COUNTY, IOWA

LICENSED LAND SURVEYOR
DENNIS R. KUNZE
10679
IOWA

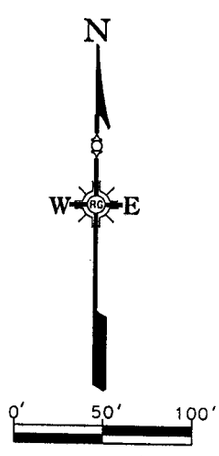
I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

DENNIS R. KUNZE DATE: 5-12-2006

License number 10679

My license renewal date is December 31, 2006

Pages covered by this seal: EXHIBIT "A"



DATE DRAWN MAY 11, 2006 SCALE 1"=100'