Book 2007 Page 1611

Document 2007 1611 Type 03 006 Pages 3
Date 5/23/2007 Time 8:38:55AM
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 E. MAIN STREET, MANCHESTER, IA 52057

EASEMENT FOR PUBLIC HIGHWAY

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

The Ernest and Irene Recker Living Trust by Neil J. Recker, ~~Trustee~~ SUCCESSOR Trustee

In consideration of the lump sum of Two thousand two hundred fifty four dollars and zero cents. ($ 2,254.00), 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:

1) Property as described net acquired right of way and shown on the attached plat and legal description of parcel number 13 for project number LOST—08(01)—73-28. Said plat is part of the SE1/4 of the SE1/4 of Section 23, T87N, R3W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat as recorded in book 2007, page 1394.

and The Ernest and Irene Recker Living Trust by Neil J. Recker, Trustee hereby covenants with the said Delaware County that The Ernest and Irene Recker Living Trust by Neil J. Recker, Trustee is 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 Neil J. Recker, Trustee has good and lawful authority to sell and convey the same, and The Ernest and Irene Recker Living Trust by Neil J. Recker, Trustee hereby covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 30th day of April A.D. 2007

STATE OF ~~IOWA~~ Kansas)
)
~~Delaware~~ Johnson County)s.s
)

THE ERNEST AND IRENE RECKER LIVING TRUST

BY: Neil J. Recker, Trustee
Neil J. Recker, TRUSTEE (SUCCESSOR)
Landowner(s) of Record

On this 30th day of April A.D. 2007, before me, the undersigned Notary Public, Neil J. Recker personally appeared to me, is known to be the person named herein, who, being duly sworn by me, did say that the person is a Trustee of The Ernest and Irene Recker Living Trust, and executing the foregoing instrument, that the instrument was signed on behalf of the aforenamed Trust by authority of the Trust Agreement, and acknowledged that Neil J. Recker executed the same as a voluntary act and deed of the aforenamed Trust, by it and by the Trustee voluntarily executed.

Seal or Stamp above
CONNIE BRANDT
Notary Public
State of Kansas
My Commission Expires 6-23-07

Connie Brandt
Notary Public in and for said County

FILED

MAY 0 3 2007

CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

FILED

MAY - 3 2007

CARLA K. BECKER
DELAWARE COUNTY AUDITOR

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Document 2007 1394 Type 06 002 Pages 2
Date 5/03/2007 Time 11:40:31AM
Rec Amt $12.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

PREPARED BY/RETURN TO: RANDALL L. RATTENBORG; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

ACQUISITION PLAT

PARCEL NO. 13, PROJECT NO. LOST-08(01)--73-28
PART OF THE SE 1/4 - SE 1/4
SEC. 23, T87N, R3W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

PARCEL NO. 13, PROJECT NO. LOST-08(01)--73-28, PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 1.67 acres, including 1.22 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 Southeast Corner of Section Twenty-three (23), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa;
THENCE along the Southerly Line of the Southeast Quarter (SE ¼) of said Section Twenty-three (23), South 88° 44' 14" West, to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of said Section Twenty-three (23), 1326.33 feet;
THENCE along the Westerly Line of the Southeast Quarter (SE ¼) of said Section Twenty-three (23), North 02° 01' 14" West, 55.01 feet;
THENCE North 88° 44' 14" East, to the Easterly Line of the Southeast Quarter (SE ¼) of said Section Twenty-three (23), 1326.43 feet;
THENCE along the Easterly Line of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of said Section Twenty-three (23), South 01° 55' 17" East, 55.01 feet to the POINT OF BEGINNING;

Containing a total of 1.67 acres, including 1.22 acres of existing public road right of way, and subject to easements of record.

The Southerly Line of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Twenty-three (23), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa, is assumed to bear South 88° 44' 14" West.

SURVEY REQUESTED BY: MARK NAHRA, DELAWARE COUNTY ENGINEER

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

PROPRIETORS: ERNEST J. RECKER & IRENE K. RECKER AS TRUSTEES OF THE ERNEST AND IRENE RECKER LIVING TRUST

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.

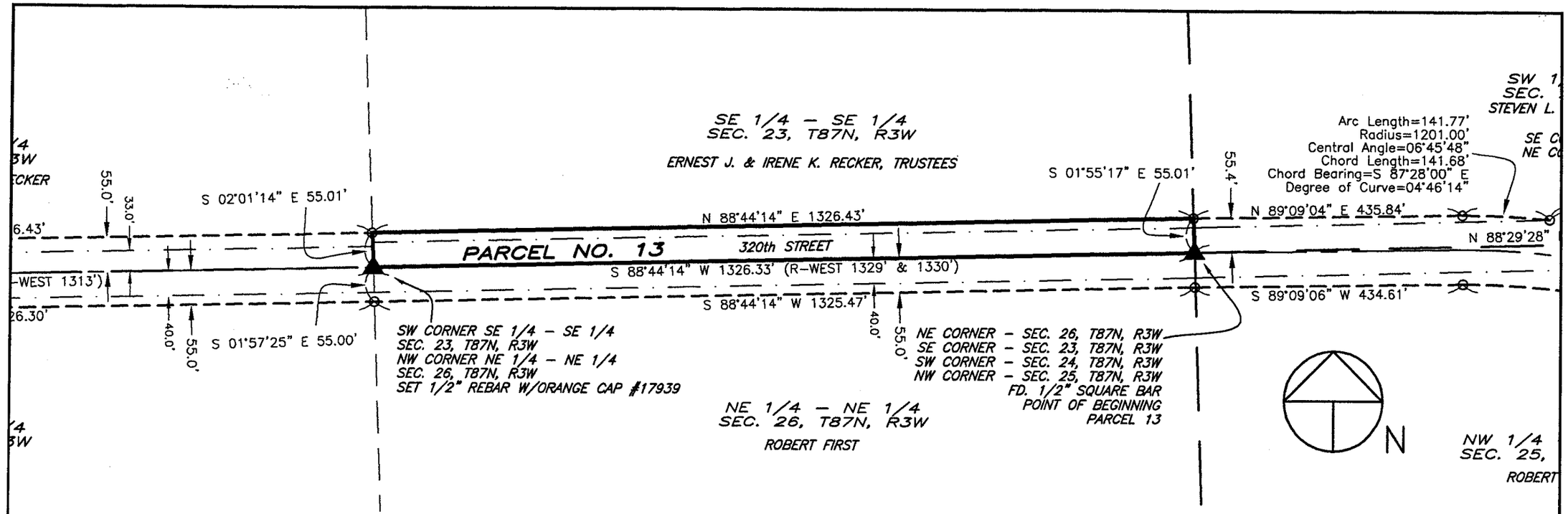
5/2/07

RANDALL L. RATTENBORG L.S. LIC. #17939 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2007

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

PROJECT NO. 04-21/06-96
SCALE: 1"=200'
DATE: 11/8/2006
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED 4/30/2007
SHEET 1 OF 2



PARCEL NO. 13
TOTAL ACRES: 1.67
EXISTING ACRES: 1.22
NET ACQUIRED: 0.45

200 0 200
Scale: 1" = 200'

LEGEND

- ⊙ SET 1/2" REBAR W/ ORANGE L.S. CAP #17939
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EXISTING ROW LINE
- PROPOSED ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- (R–) RECORDED AS DISTANCE AND/OR BEARING

GIBBS ENGINEERING & SURVEYING

PARCEL NO. 13, PROJECT NO. LOST–08(01)––73–28

RIGHT OF WAY MONUMENTS AND 1/4–1/4 CORNERS MAY BE SET AFTER CONSTRUCTION

SHEET 2 OF 2

105 West Main, Manchester, Iowa 52057 (563) 927–2434 www.gibbseng.com