Book 2012 Page 85

Document 2012 85 Type 03 006 Pages 4
Date 1/10/2012 Time 8:41:02AM
Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

THIS DOCUMENT WAS PREPARED BY ANTHONY T. BARDGETT, P.E., DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38, MANCHESTER, IA 52057, PHONE; 563-927-3505
RETURN TO DELAWARE COUNTY AUDITOR.

# EASEMENT FOR PUBLIC HIGHWAY

**KNOWN ALL PERSONS BY THESE PRESENTS THAT:**

**David J. Foster and Linda M. Foster d.b.a. Eastern Iowa Drainage**

In consideration of the lump sum of three hundred sixty five dollars and 00 cents ($365.00), 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 1 for project number BROS-CO28(77)—8J-28. Said plat is part of the SW 1/4 of the NW ¼ of Section 10 in T89N, R5W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat.
2) Property as described net acquired right of way and shown on the attached plat and legal description of parcel number 2 for project number BROS-CO28(77)—8J-28. Said plat is part of the SW ¼ of the NW ¼ of Section 10 in T89N, R5W of the Fifth P.M., Delaware County, and is fully described on the aforementioned plat.

and **David J. Foster and Linda M. Foster d.b.a. Eastern Iowa Drainage** hereby covenant with the said Delaware County that **David J. Foster and Linda M. Foster d.b.a. Eastern Iowa Drainage** 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 **David J. Foster and Linda M. Foster d.b.a. Eastern Iowa Drainage** has good and lawful authority to sell and convey the same, and **David J. Foster and Linda M. Foster d.b.a. Eastern Iowa Drainage** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 4th day of January A.D. 2012

STATE OF IOWA )
Delaware County )s.s
)

David John Foster
(David J. Foster)

Linda M. Foster
(Linda M. Foster),
**Landowner(s) of Record**

On this 4th day of January A.D. 2012, before me, the undersigned Notary Public, personally appeared to me known **David J. Foster and Linda M. Foster d.b.a. Eastern Iowa Drainage** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **David J. Foster and Linda M. Foster d.b.a. Eastern Iowa Drainage** executed the same as a voluntary act and deed.

Linda Schaul
Notary Public in and for said County

**Seal or Stamp above**

NOTARIAL SEAL IOWA
Linda Schaul
Commission No. 161795
My Commission Expires 8-16-12

FILED
APR 8 2010
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
APR 8 2010
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

Book 2010 Page 1032
Document 2010 1032 Type 06 002 Pages 3
Date 4/08/2010 Time 10:32:50AM
Rec Amt $19.00

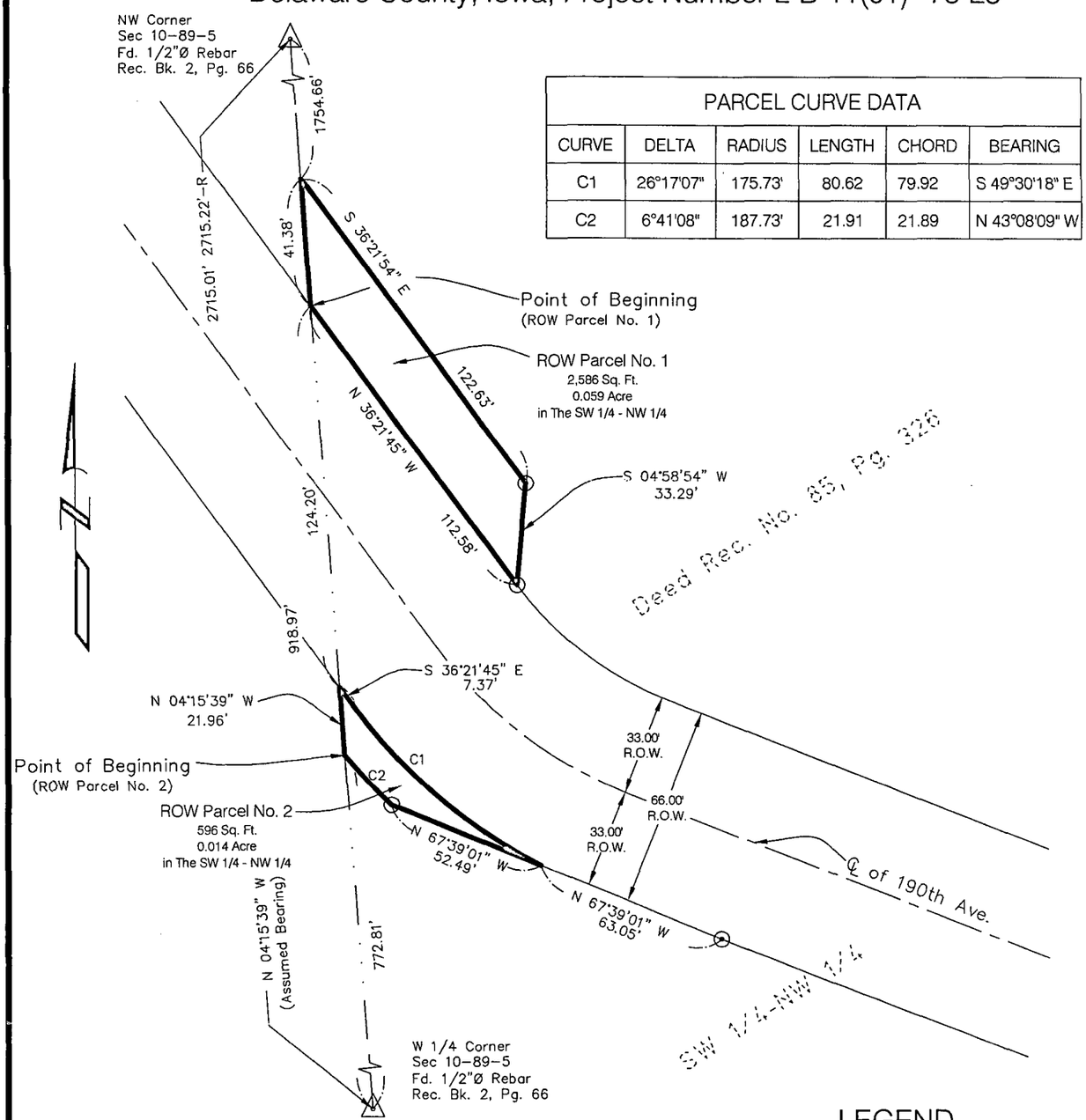
COPY

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by: TeKippe Engineering, P.C., 1919-210Th Street, P.O. Box 357, Manchester, Iowa 52057 Ph. (563)927-2060

# Acquisition Plat

## Acquisition for County Road Right-of-Way, R.O.W. Parcel No.1 and R.O.W. Parcel No. 2, Located in the SW 1/4 - NW 1/4 Section 10 - T89N - R5W, Delaware County, Iowa, Project Number L-B-11(01)--73-28




| PARCEL CURVE DATA | | | | | |
|---|---|---|---|---|---|
| CURVE | DELTA | RADIUS | LENGTH | CHORD | BEARING |
| C1 | 26°17'07" | 175.73' | 80.62 | 79.92 | S 49°30'18" E |
| C2 | 6°41'08" | 187.73' | 21.91 | 21.89 | N 43°08'09" W |

25' 0' 25' 50' 100'

1 inch = 50 ft.

Survey was completed on March 1, 2010.

Proprietor:
Eastern Iowa Drainage

Requested by:
Delaware County
Engineer's Office

## LEGEND

Section Corner.....
Recorded as.....R
Set 1/2"ø Rebar w/RPC PLS 7060...⊙
Acquisition Boundary.....
Section Line.....
Red Plastic Cap.....RPC

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
IOWA

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.

Lyle G. TeKippe, P.E., P.L.S. — 4-7-10 Date

License Number 7060
My license renewal date is December 31, 2010.
Pages or sheets covered by this seal: P1


**TeKippe Engineering, P.C.**
West Union
563-422-5131
Manchester 563-927-2060
Cedar Rapids 319-294-6909
www.tekippe.com


M:\Projects\2010\102013LS\dwg\102013LS-2.dwg
Field Book: Del. Co. Del. Twp. No.1 Pages: 22-23
Project No. 102013LS Sheet P1

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
IOWA

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.

Lyle G. TeKippe 4-7-10
Lyle G. TeKippe Date
License Number 7060
My license renewal date is December 31, 2010.
Pages covered by this seal: ACQ-1 Through ACQ-2

State of Iowa )
ss.
County of Delaware )

Subscribed and sworn to before me by Lyle G. TeKippe this 7TH day of April, 2010.

David Meyer
Iowa Notarial Seal
Commission Number: 736541
My Commission Expires: 09-08-2011

Notary Public

SURVEY AND PLAT OF:

Acquisition Description:

**R.O.W. Parcel No. 1** in the Southwest Quarter of the Northwest Quarter of Section 10, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Commencing at the West Quarter Corner of said Section;

Thence **North 04°-15'-39" West (Assumed Bearing), 918.97 feet** along the West Line of said Section to the North Right-of-Way Line of County Road (190th Avenue) and to the Point of Beginning;

Thence continuing **North 04°-15'-39" West, 41.38 feet** along said Section Line;

Thence **South 36°-21'-54" East, 122.63 feet**;

Thence **South 04°-58'-54" West, 33.29 feet** to said Right-of-Way Line;

Thence **North 36°-21'-45" West, 112.58 feet** along said Right-of-Way Line to the West Line of said Section and the Point of Beginning, containing **0.059 Acre** (2,586 Sq. Ft.), subject to easements of record.
(See plat attached to this original acquisition description.)

AND

**R.O.W. Parcel No. 2** in the Southwest Quarter of the Northwest Quarter of Section 10, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Commencing at the West Quarter Corner of said Section;

Thence **North 04°-15'-39" West (Assumed Bearing), 772.81 feet** along the West Line of said Section to the Point of Beginning;

Thence continuing **North 04°-15'-39" West, 21.96 feet** along said Line to the South Right-of-Way Line of County Road (190th Avenue);

Thence **South 36°-21'-45" East, 7.37 feet** along said Right-of-Way Line;

Thence Southeasterly along a 175.73 foot radius curve concave Northeasterly 80.62 feet, (said curve having a Long Chord of **South 49°-30'-18" East, 79.92 feet);**

Thence **North 67°-39'-01" West, 52.49 feet;**

Thence Northwesterly along a 187.73 foot radius curve concave Northeasterly 21.91 feet, (said curve having a Long Chord of **North 43°-08'-09" West, 21.89 feet**) to said West Line of Section and the Point of Beginning, containing **0.014 Acre,** (596 Sq. ft.), subject to easements of record.
(See plat attached to this original acquisition description.)

## COUNTY ENGINEER'S ACKNOWLEDGMENT

I, Anthony Bardgett, P.E., the Delaware County Engineer, have received and examined the foregoing plat of R.O.W. Parcel No. 1 and R.O.W. Parcel No. 2 in the Southwest Quarter of the Northeast Quarter of Section 10, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa.

Anthony Bardgett

Anthony Bardgett, P.E.
County Engineer