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Date 1/14/2013 Time 2:47:08PM
Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

THIS DOCUMENT WAS PREPARED BY ANTHONY BARDGETT, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38, MANCHESTER, IA 52057, 563-927-3505

Return to: Del Co Auditor, 301 E. Main St., Manchester, IA 52057

EASEMENT FOR PUBLIC HIGHWAY

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

HAROLD L. MAIERS AS TRUSTEE OF THE DOROTHY S. MAIERS TESTIMENTARY TRUST

In consideration of the lump sum of One Thousand-Eight Hundred And 00/-DOLLARS ($ 1800.00), 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:

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(80)--8J-28. Said Parcel number 1 is part of the NE1/4 of the SW1/4, Section 15, T89N, R4W of the Fifth Principal Meridian, Delaware County, Iowa and is fully described on the aforementioned plat.

and **HAROLD L. MAIERS AS TRUSTEE OF THE DOROTHY S. MAIERS TESTIMENTARY TRUST** hereby covenant with the said Delaware County that **HAROLD L. MAIERS AS TRUSTEE OF THE DOROTHY S. MAIERS TESTIMENTARY TRUST** 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 **HAROLD L. MAIERS AS TRUSTEE OF THE DOROTHY S. MAIERS TESTIMENTARY TRUST** have good and lawful authority to sell and convey the same, and **HAROLD L. MAIERS AS TRUSTEE OF THE DOROTHY S. MAIERS TESTIMENTARY TRUST** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 9th day of January A.D. 2013

STATE OF IOWA)
)ss.
Delaware County)

Harold L. Maiers
Landowner(s) of Record
HAROLD L. MAIERS, TRUSTEE

On this 9th day of January A.D. 2013 before me, the undersigned Notary Public in and for Delaware, County, State of Iowa, personally appeared HAROLD L. MAIERS AS TRUSTEE OF THE DOROTHY S. MAIERS TESTIMENTARY TRUST known by me to be the person(s) named herein and who executed the foregoing instrument, and acknowledged that he executed the same as his 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 8-14-2015

DELAWARE COUNTY OFFICIAL SEAL IOWA

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FILED
JAN 10 2013
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
JAN 10 2013
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY BRAD BURGER, DELAWARE COUNTY ENGINEERS OFFICE 2139 HIGHWAY 38, MANCHESTER, IOWA 52057 (563) 927 3505

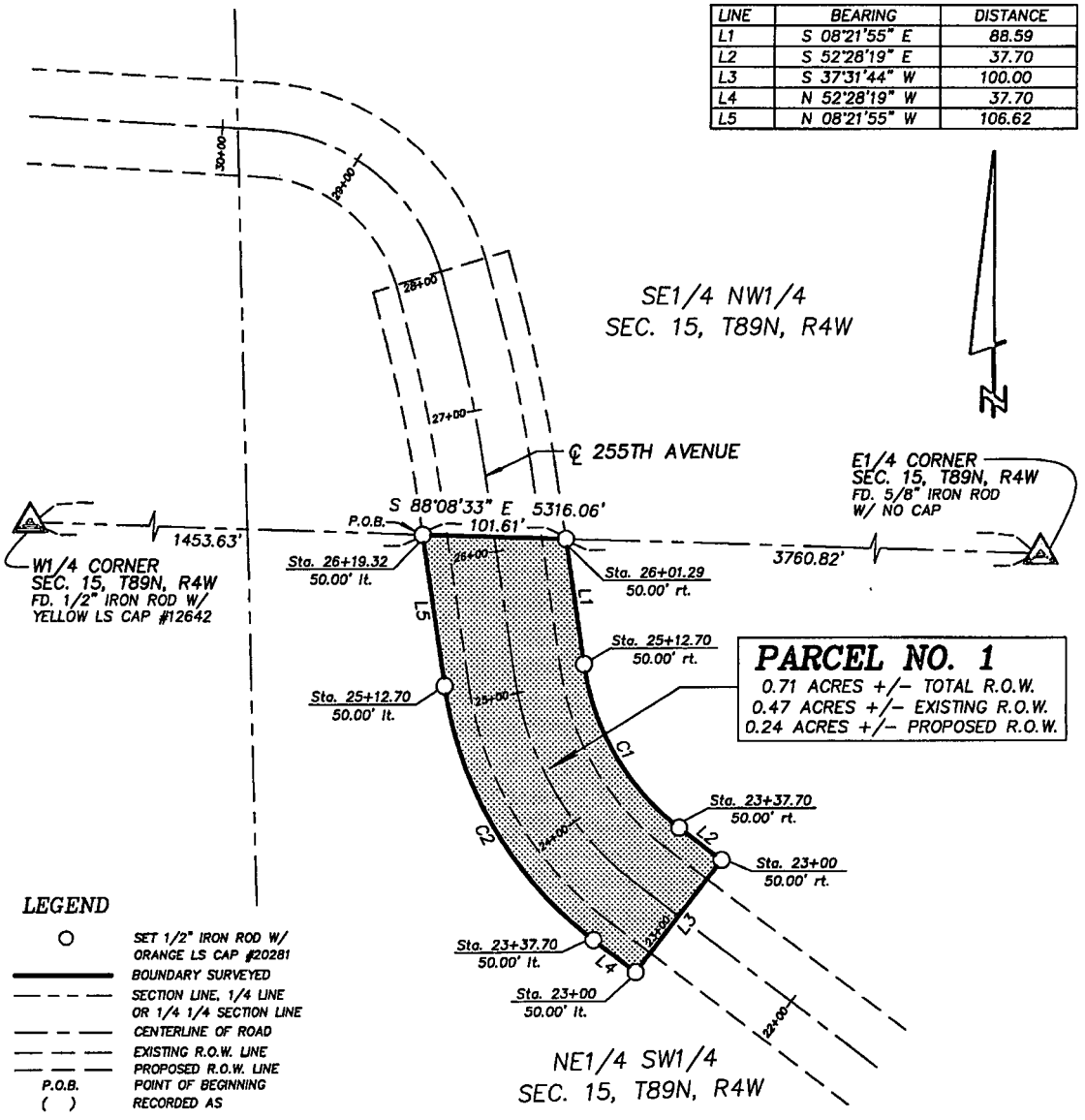
ACQUISITION PLAT

PARCEL NO. 1, PROJECT NO. BROS-C028(80)--8J-28

PART OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION FIFTEEN (15), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

CURVE	ARC	DELTA	RADIUS	CHORD LENGTH	CHORD BEARING
C1	136.51	44°06'24"	177.33	133.16	S 30°25'05" E
C2	213.49	44°06'24"	277.33	208.26	N 30°25'06" W

LINE	BEARING	DISTANCE
L1	S 08°21'55" E	88.59
L2	S 52°28'19" E	37.70
L3	S 37°31'44" W	100.00
L4	N 52°28'19" W	37.70
L5	N 08°21'55" W	106.62



PARCEL NO. 1
0.71 ACRES +/- TOTAL R.O.W.
0.47 ACRES +/- EXISTING R.O.W.
0.24 ACRES +/- PROPOSED R.O.W.

SURVEY REQUESTED BY ANTHONY BARDGETT, DELAWARE COUNTY ENGINEER

LICENSED LAND SURVEYOR
BRAD J. BURGER
20281
IOWA

NO. OF SHEETS COVERED BY THIS SEAL 1

DATE OF SURVEY: 1/9/2012 | SCALE: 1" = 100' | SHEET 1 OF 2

PROPRIETORS: HAROLD L. MAIERS AS TRUSTEE OF THE DOROTHY S. MAIERS TESTIMENTARY TRUST

I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND 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. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014

Brad J. Burger 1/10/13

BRAD J. BURGER #20281 DATE

Delaware County Engineer's Office
2139 Highway 38
Manchester, Iowa 52057

LEGAL DESCRIPTION

PARCEL NO. 1, PROJECT NO. BROS-CO28(80)--8J-28, Part of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4), Section Fifteen (15), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 0.71 acres more or less, including 0.47 acres more or less of existing public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows:

COMMENCING at the West Quarter (W1/4) corner of Section Fifteen (15), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 88°-08'-33" East 1453.63 feet along the North line of the Southwest Quarter (SW1/4) of said Section Fifteen (15) to the **POINT OF BEGINNING**;

Thence South 88°-08'-33" East 101.61 feet along said North line of the Southwest Quarter (SW1/4) of Section Fifteen (15);

Thence South 08°-21'-55" East 88.59 feet;

Thence along a circular curve concave Northeasterly for an arc length of 136.51 feet, said circular curve having a central angle of 44°-06'-24", a radius of 177.33 feet, a chord bearing of South 30°-25'-05" East and a chord length of 133.16 feet;

Thence South 52°-28'-19" East 37.70 feet;

Thence South 37°-31'-44" West 100.00 feet;

Thence North 52°-28'-19" West 37.70 feet;

Thence along a circular curve concave Northeasterly for an arc length of 213.49 feet, said circular curve having a central angle of 44°-06'-24", a radius of 277.33 feet, a chord bearing of North 30°-25'-06" West and a chord length of 208.26 feet;

Thence North 08°-21'-55" West 106.62 feet to the **POINT OF BEGINNING** containing a total of 0.71 acres more or less, including 0.47 acres more or less of existing public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record**;

The North line of the Southwest Quarter (SW1/4), Section Fifteen (15), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear South 88°-08'-33" East.

LICENSED LAND SURVEYOR
BRAD J. BURGER
20281
IOWA

SURVEYORS CERTIFICATE

I hereby certify that this land survey document was prepared and 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;

My license renewal date is December 31, 2014

Brad J. Burger 1/10/13

Brad J. Burger Date Reg. No. 20281

Sheet No. 2 covered by this seal