

REC \$ 15.00  
ADD \$     

DEED RECORD 130

FILED NO. 1494  
BOOK 130 PAGE 796

796

COMPEARED

92 DEC -8 AM 10:16

MICHELLE WISLER  
RECORDER  
MADISON COUNTY, IOWA

*For Disclaimers see  
Misc Rec 44-94  
4-22-97*

**EASEMENT FOR PUBLIC HIGHWAY**

For the consideration of Two Thousand Two Hundred Fourteen and no/100-----  
(\$2,214.00)-----DOLLARS and other valuable consideration in hand paid by Iowa  
Department of Transportation, Mina I. Speer and Ernest B. Speer, her husband, of Madison  
County, State of Iowa, 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  
Madison County, Iowa:

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

A parcel of land located in the SE¼ SW¼ of Section 28, T76N, R26W of the 5th  
P.M., Madison County, Iowa, as shown on Acquisition Plat Exhibit "A" attached  
hereto and by reference made a part hereof, and more particularly described as  
follows:

Commencing at the S¼ Corner of said Section 28; thence N1°50'27" W 739.31 feet  
along the east line of the SW¼ of said Section 28, to the Point of Beginning; thence  
continuing N1°50'27" W 85.03 feet along said east line, to a point on the centerline of  
Primary Road No. Ia. 92; thence S89°36'42" W 1317.48 feet along said centerline, to a  
point on the west line of the SE¼ SW¼ of said Section 28; thence S1°43'17" E 70.02  
feet along said west line; thence N89°36'42" E 1214.09 feet; thence S73°41'21" E  
52.20 feet; thence N89°36'42" E 53.92 feet, to a point on the east line of the SW¼ of  
said Section 28, the Point of Beginning, excepting therefrom present easements of  
record, containing 1.23 acres, exclusive of said exceptions.

This easement is given in fulfillment of a certain contract dated October 13, 1992, and  
recorded in the Madison County Recorder's Office on October 30, 1992, in Book 130, Page  
601.

The additional amount of \$100.00, as agreed to by contract, 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 easement is being acquired for public purposes 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.

Madison County Project No. FN-92-4(15)--21-61  
Mina I. Speer and Ernest B. Speer (Parcel 61)

DATED Nov 30, 1992. (SIGN IN INK)

Mina I. Speer  
Mina I. Speer

Ernest B. Speer  
Ernest B. Speer

STATE OF Iowa, COUNTY OF Madison, ss:

On this 30<sup>th</sup> day of November, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared Mina I. Speer and Ernest B. Speer to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Joyce E. Binns (Sign in Ink)  
Joyce E. Binns (Print/Type Name)  
Notary Public in and for the State of Iowa



Madison County Project No. FN-92-4(15)--21-61  
Mina I. Speer and Ernest B. Speer (Parcel 61)



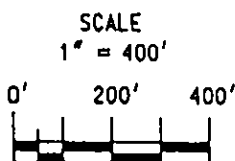
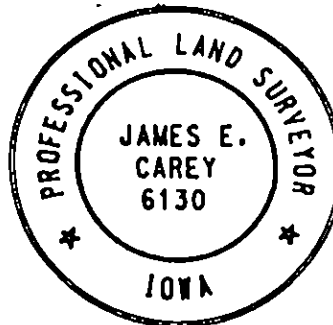
IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT  
EXHIBIT 'A'

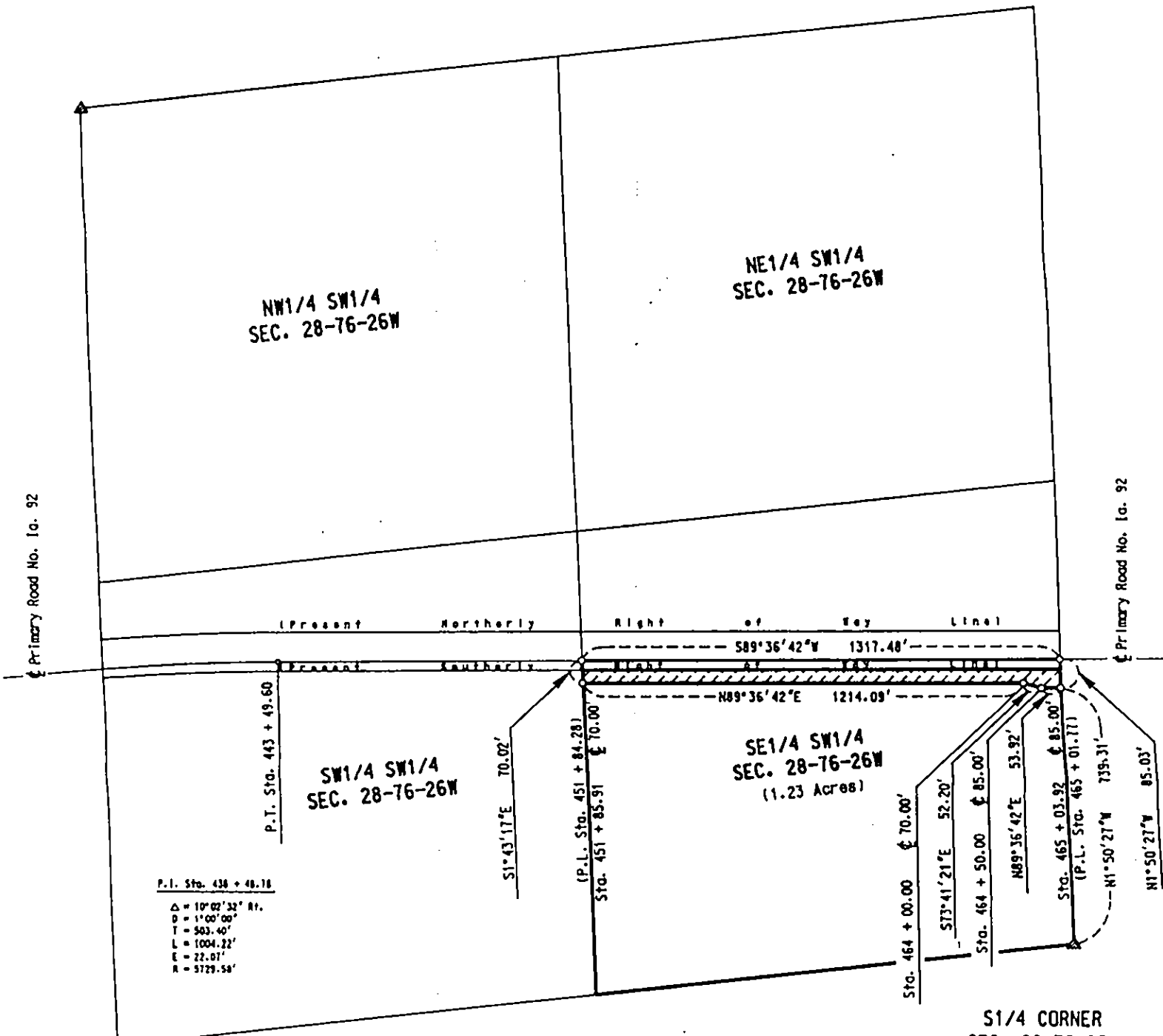
COUNTY MADISON STATE CONTROL NO. 61-0800  
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 61  
 SECTION 28 TOWNSHIP 76 N RANGE 26 W  
 ROW-FEE \_\_\_\_\_ AC. EASE 1.23 AC. EXCESS - FEE \_\_\_\_\_ AC  
 ACQUIRED FROM Mina I. Speer and Ernest B. Speer

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

Signature: James E. Carey  
 James E. Carey  
 Date July 27, 1992 Reg. No. 6130  
 My registration expires December 31, 1992



W1/4 CORNER  
 SEC. 28-76-26W  
 (Found "X" in Stone)  
 is N1°36'06"W 1570.70'  
 from P.O.C. Sta. 438+67.24



P.L. Sta. 438 + 48.78  
 $\Delta = 10^{\circ}02'32''$  Rt.  
 $D = 1^{\circ}00'00''$   
 $T = 903.40'$   
 $L = 1004.22'$   
 $E = 22.01'$   
 $R = 5729.58'$

S1/4 CORNER  
 SEC. 28-76-26W  
 (Set Capped Iron Pin)  
 is S1°50'27"E 824.34'  
 from Sta. 465+01.77