

REC \$ 20.00  
AUD \$     

REGISTERED  
CONFIRMED

FILED NO. 1457

BOOK 130 PAGE 777

92 DEC -4 PM 2: 13

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

**EASEMENT FOR PUBLIC HIGHWAY**

For the consideration of Ten Thousand Eight Hundred Thirty-Eight and no/100----- (\$10,838.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, Merle R. Jordan and Margery Jordan, husband and wife, 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 SW¼ SW¼ of Section 26, and in the NW¼ NW¼ and NE¼ NW¼ of Section 35, all in T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on Acquisition plat 1 of 2, Exhibit "A" attached hereto and by reference made a part hereof, and more particularly described as follows:

Commencing at the N¼ Corner of said Section 35; thence S1°18'30" E 229.02 feet along the east line of the NW¼ of said Section 35, to a point on the present northerly right of way line of Primary Road No. Ia. 92, the Point of Beginning; thence S89°35'01" W 1316.42 feet along said present northerly right of way line; thence N1°18'30" W 10.00 feet along said present northerly right of way line; thence S89°35'01" W 906.18 feet along said present northerly right of way line; thence continuing S89°35'01" W 410.55 feet, to a point on the west line of the SW¼ SW¼ of said Section 26; thence S1°35'44" E 61.01 feet along said west line, to the SW Corner of said Section 26, said corner also being the NW Corner of said Section 35; thence S1°18'29" E 103.74 feet along the west line of the NW¼ NW¼ of said Section 35; thence N89°34'58" E 1689.01 feet; thence S87°33'17" E 200.25 feet; thence N89°34'58" E 743.99 feet, to a point on the east line of the NE¼ NW¼ of said Section 35; thence N1°18'30" W 164.71 feet along said east line, to a point on the present northly right of way line of Primary Road No. Ia. 92, the Point of Beginning, excepting therefrom present easements of record, containing 3.43 acres, exclusive of said exceptions.

ALSO,

A parcel of land located in the SW¼ SE¼ of Section 26, and in the NW¼ NE¼ and NE¼ NE¼ of Section 35, all in T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on Acquisition Plat 2 of 2, Exhibit "A" attached hereto and by reference made a part hereof, and more particularly described as follows:

Commencing at the N¼ Corner of said Section 35; thence S1°18'30" E 229.02 feet along the west line of the NE¼ of said Section 35, to the Point of Beginning; thence N89°22'34" E 85.46 feet; thence easterly 358.45 feet along a 1834.86 ft. radius curve, concave northerly, and having a chord bearing N83°59'10" E 357.88 feet; thence N64°58'00" E 404.98 feet; thence N72°03'08" E 289.63 feet; thence northeasterly 207.73 feet along a 1839.86 ft. radius curve, concave northerly and having a chord bearing N53°24'18" E 207.62 feet, to a point on the east line of the SW¼ SE¼ of said Section 26; thence S1°34'13" E 64.14 feet along said east line, to the SE Corner thereof, said corner also being the NW Corner of the NE¼ NE¼ of said Section 35; thence N82°11'09" E 168.37 feet along the north line of said NE¼ NE¼; thence S49°57'20" W 95.62 feet; thence southwesterly 412.38 feet along a 1979.86 ft. radius curve, concave northerly and having a chord bearing S55°55'21" W 411.64 feet; Thence S61°15'18" W 261.05 feet; thence westerly 704.82 feet along a 1999.86 ft. radius curve, concave northerly and having a chord bearing S79°29'10" W 701.18 feet;

*For Disclaimer see  
Misc Rec 44-74  
4-22-97*

Madison County Project No. FN-92-4(15)--21-61  
Merle R. Jordan and Margery Jordan (Parcel 67)

thence S89°34'58" W 82.90 feet, to a point on the west line of the NW¼ NE¼ of said Section 35; thence N1°18'30" W 164.71 feet along said west line, to the Point of Beginning, excepting therefrom present easements of record, containing 3.16 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 605.

The additional amount of \$7,286.00, 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.

DATED December 3, 1992. (SIGN IN INK)

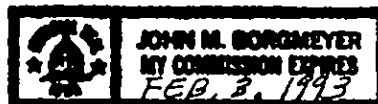
Merle R. Jordan  
Merle R. Jordan

Margery Jordan  
Margery Jordan

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 3rd day of December, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared Merle R. Jordan and Margery Jordan 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.

John M. Borgmeyer (Sign in Ink)  
John M. Borgmeyer (Print/Type Name)  
Notary Public in and for the State of IOWA



Madison County Project No. FN-92-4(15)--21-61  
Merle R. Jordan and Margery Jordan (Parcel 67)



# IOWA DEPARTMENT OF TRANSPORTATION

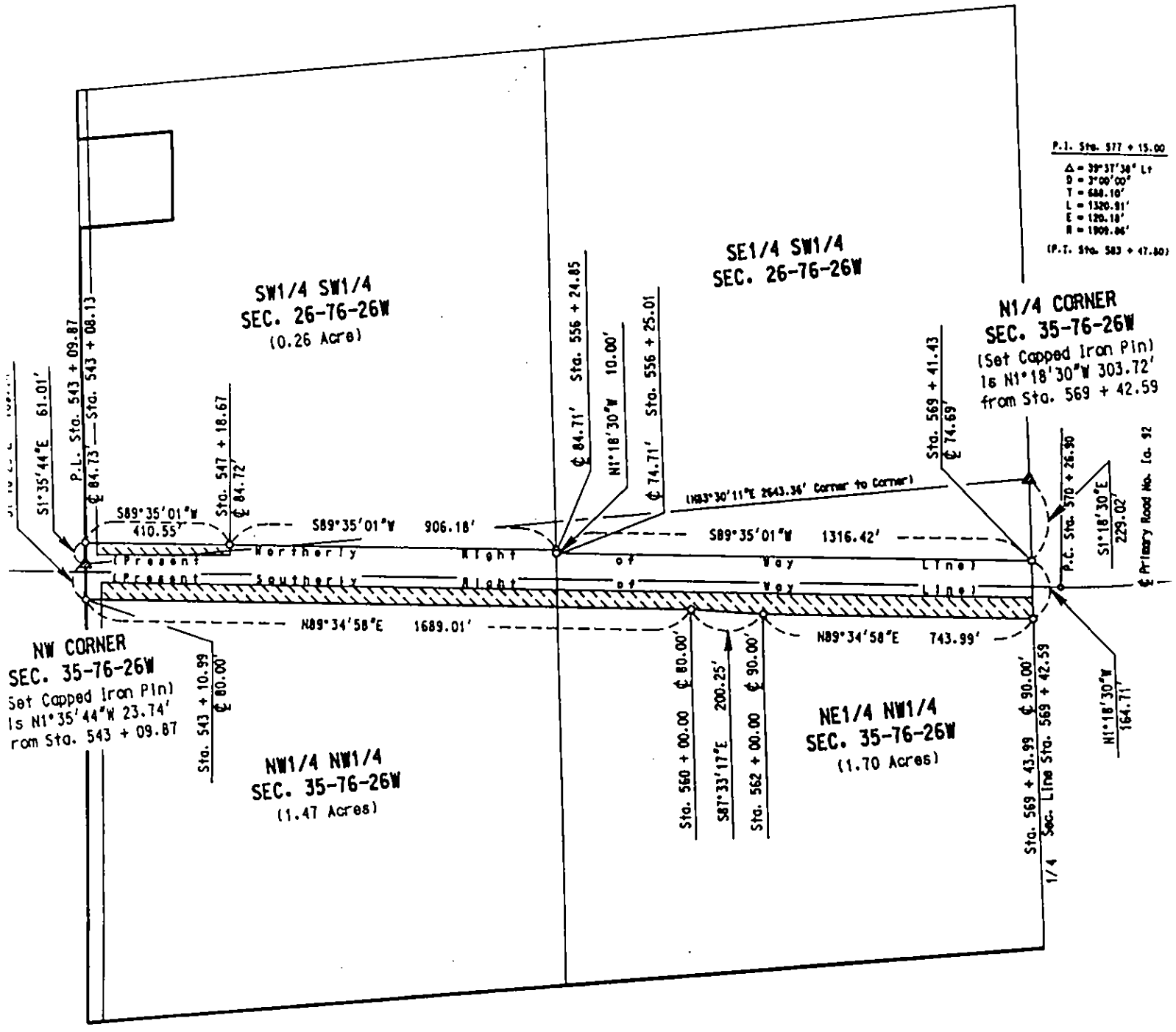
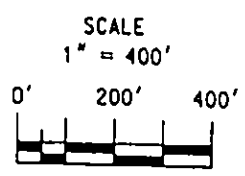
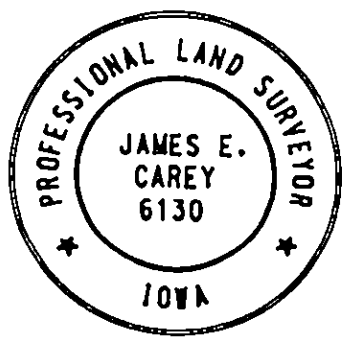
## ACQUISITION PLAT 1 OF 2 EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0800  
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 67  
 SECTION 26 & 35 TOWNSHIP 76 N RANGE 28 W  
 ROW-FEE \_\_\_\_\_ AC. EASE 3.43 AC. EXCESS - FEE \_\_\_\_\_ AC  
 ACQUIRED FROM Merle R Jordan, et ux

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  
 Date: August 20, 1992 Reg. No. 6130

My registration expires December 31, 1992





IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT 2 OF 2

EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0600  
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 67  
 SECTION 26 & 35 TOWNSHIP 76 N RANGE 26 W  
 ROW-FEE \_\_\_\_\_ AC. EASE 3.16 AC. EXCESS - FEE \_\_\_\_\_ AC  
 ACQUIRED FROM Merle R Jordan, et ux

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

Date August 27, 1992 Reg. No. 6130

My registration expires December 31, 1992



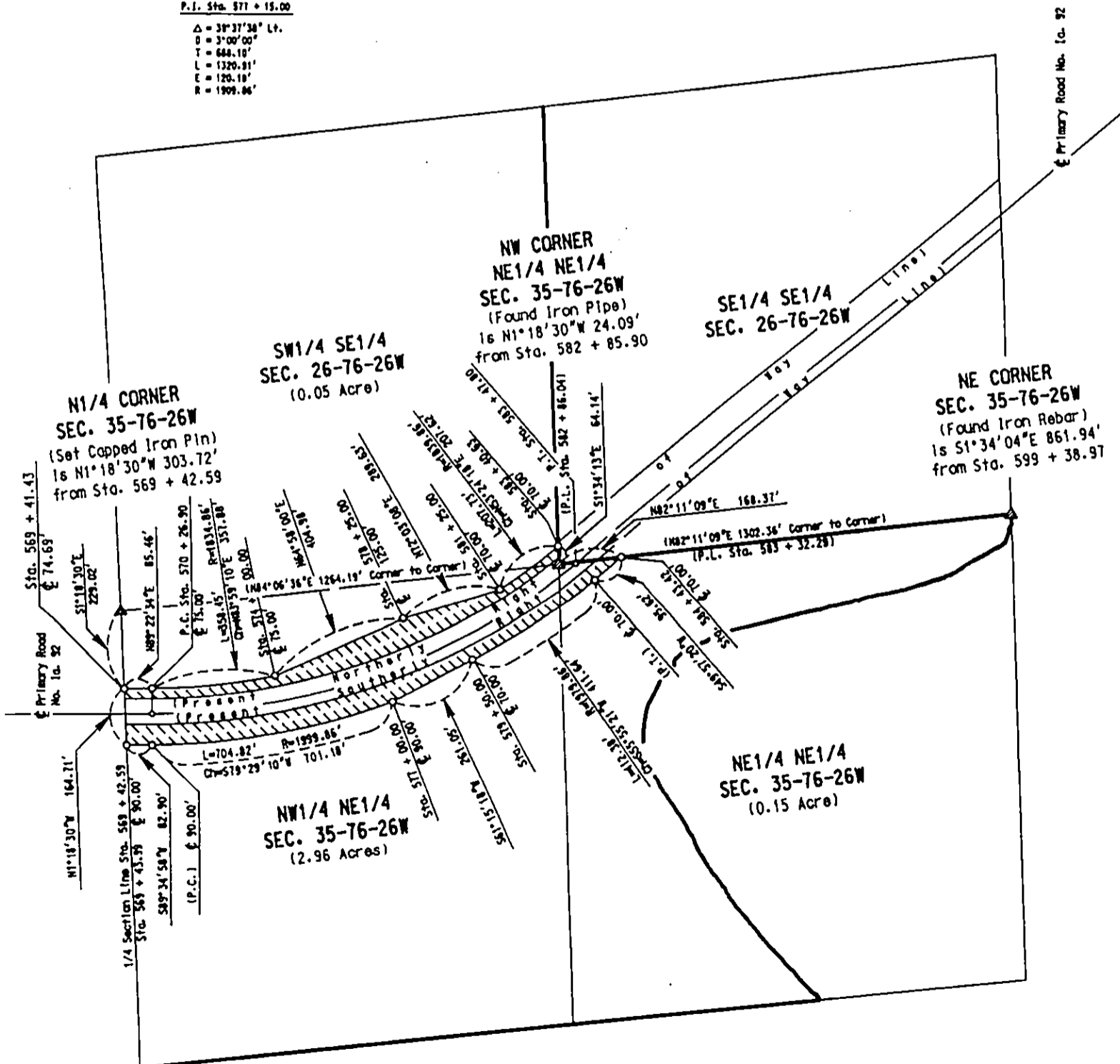
N

SCALE  
1" = 400'



P.I. Sta. 571 + 15.00

Δ = 39°37'38" Lt.  
 D = 3°00'00"  
 T = 648.10'  
 L = 1320.91'  
 E = 120.18'  
 R = 1909.86'



Primary Road No. 92