

COMPAREDFILED NO. 944BOOK 130 PAGE 504

Fee \$15.00

92 OCT 15 AM 9: 21

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA**EASEMENT FOR PUBLIC HIGHWAY**

Know All Men By These Presents: That Lowell F. Bence and Sandra K. Bence, husband and wife, of Madison County, State of Iowa, in consideration of the sum of Nine Hundred Ninety-five and no/100----(\$995.00)----DOLLARS and other valuable considerations in hand paid by Iowa Department of Transportation, do hereby grant an easement unto the STATE OF IOWA, for road purposes and for use as a Public Highway, the following described premises situated in the County of Madison, State of Iowa, to-wit:

A parcel of land located in the NW 1/4 NE 1/4 of Sec. 25, T76N, R27W of the 5th P.M., Madison County, Iowa, as shown on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof.

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

Commencing at SE Corner of the NE 1/4 NE 1/4 of said Sec. 25; thence S89°00'46"W, 1831.79 ft. along the south line of the N 1/2 NE 1/4 of said Sec. 25 to a point on the east line of the West 48 rods 11 ft. of the NW 1/4 NE 1/4 of said Sec. 25; thence N2°47'06"W, 311.94 ft. along said east line to the Point of Beginning; thence S86°19'17"W, 312.60 ft.; thence S61°18'16"W, 82.76 ft.; thence S85°58'28"W, 316.72 ft. to a point on the east line of the West 6 rods of the NW 1/4 NE 1/4 of said Sec. 25; thence N2°47'06"W, 50.37 ft. along said east line to a point on the present southerly right of way line of Primary Road No. IA. 92; thence N85°25'39"E, 106.36 ft. along said present southerly right of way line; thence N4°34'21"W, 10.00 ft. along said present southerly right of way line; thence N85°25'39"E, 352.51 ft. along said present southerly right of way line; thence easterly 47.22 ft. along said present southerly right of way line along a 5696.58 foot radius curve, concave southerly and having a chord bearing N85°39'54"E, 47.22 ft.; thence S4°05'28"E, 5.00 ft. along said present southerly right of way line; thence easterly 149.01 ft. along said present southerly right of way line along a 5691.58 foot radius curve, concave southerly and having a chord bearing N86°39'09"E, 149.00 ft.; thence N2°36'05"W, 5.00 ft. along said present southerly right of way line; thence easterly 49.00 ft. along said present southerly right of way line along a 5696.58 foot radius curve, concave southerly and having a chord bearing N87°38'56"E, 49.00 ft. to a point on the east line of the West 48 rods 11 ft. of the NW 1/4 NE 1/4 of said Sec. 25; thence S2°47'06"E, 29.15 ft. along said east line to the Point of Beginning; containing 0.71 acre.

This easement is given in fulfillment of a certain real estate contract dated August 20, 1992, and recorded in the Madison County Recorder's Office on August 27, 1992, in Book 130, Page 313.

The additional amount of \$1,705.00, 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).

Madison County Project No. FN-92-4(15)--21-61
Lowell F. and Sandra K. Bence (Parcel 42)

And the grantors do hereby covenant with said grantees, that said grantors are lawfully seized of said premises; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever; and said grantors covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever, and each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the above described premises.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as feminine or masculine gender, according to the context.

Signed this 3 day of Oct, A.D. 1992. (SIGN IN INK)

Lowell F. Bence
Lowell F. Bence

Sandra K. Bence
Sandra K. Bence

STATE OF Iowa, COUNTY OF Madison, ss:

On this 3rd day of October, A.D. 1992, before me, the undersigned, a Notary Public in and for said state, personally appeared Lowell F. Bence and Sandra K. Bence to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that (he) (she) (they) executed the same as (his) (her) (their) voluntary act and deed.



Norma J. Shaw (Sign in Ink)
Norma J. Shaw (Print/Type Name)
Notary Public in and for the State of Iowa
My Comm. Expires 1/29/93

RECORDING INFORMATION: This easement is being acquired for public purposes by the Iowa Department of Transportation, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010; therefore a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Madison County Project No. FN-92-4(15)--21-61
Lowell F. and Sandra K. Bence (Parcel 42)

IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT
EXHIBIT 'A'

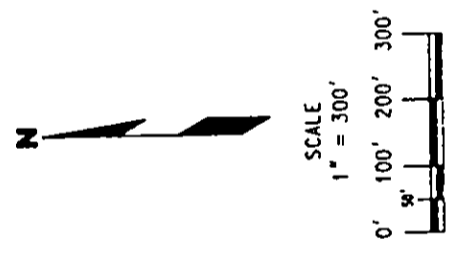
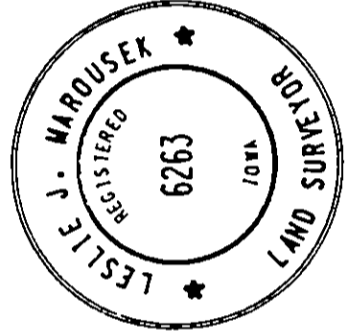
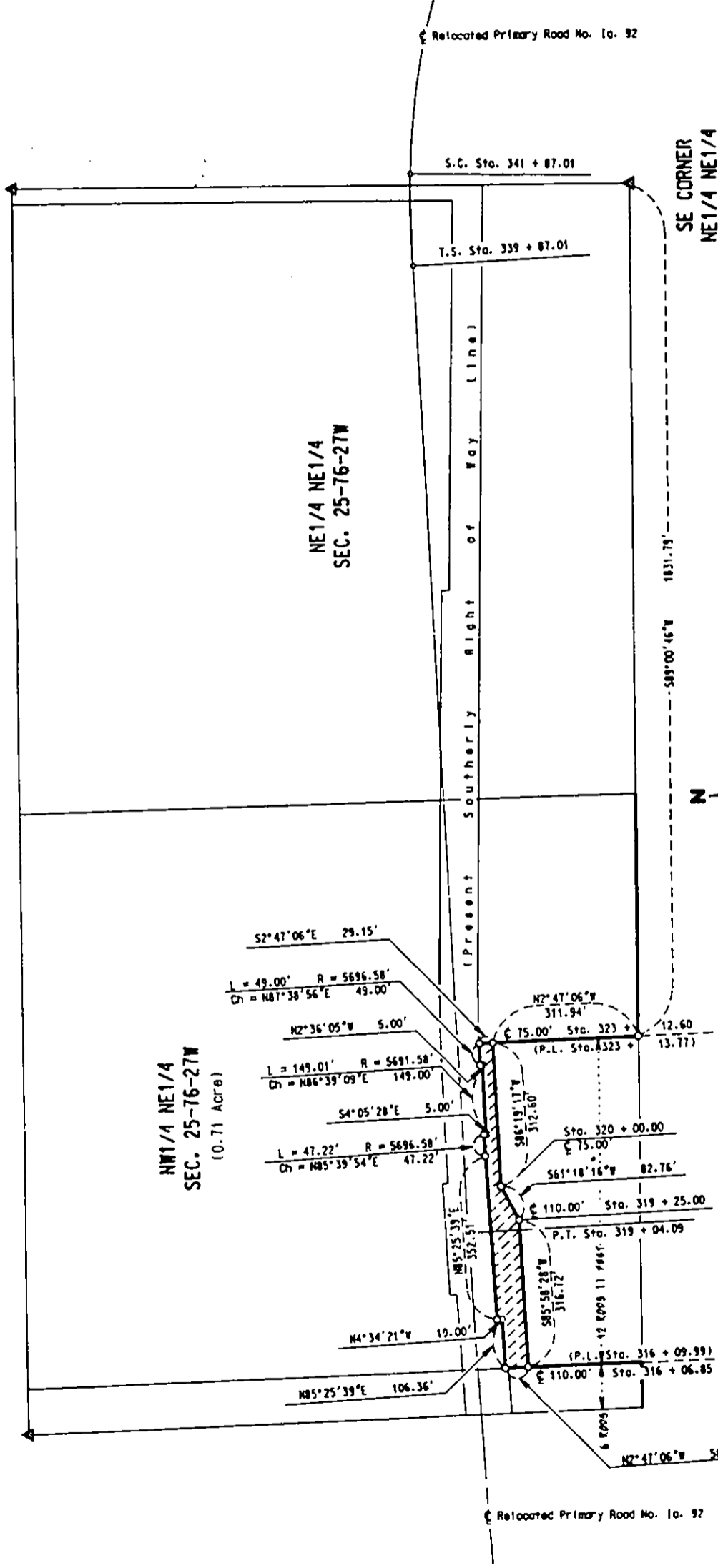


COUNTY MADISON STATE CONTROL NO. 61-0600
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 42
 SECTION 25 TOWNSHIP 76 N RANGE 27 W
 ROW-FEE _____ AC. EASE 0.71 AC. EXCESS - FEE _____ AC
 ACQUIRED FROM _____

NE CORNER
 SEC. 25-76-27W
 (Set Iron Pin)
 is N0°45'00"W 852.74' from
 P.O.C. Sta. 341 + 61.59

SE CORNER
 NE1/4 NE1/4
 SEC. 25-76-27W
 (Set Capped Iron Pin)
 is S0°45'00"E 470.64' from
 P.O.C. Sta. 341 + 61.59

(Main P.L. Sta. 348 + 09.83)
 $\Delta = 50°35'22"$ Rt. $\Delta = 43°06'22"$ Rt.
 $D = 3'45'00"$ $T = 603.49'$
 $L = 1149.50'$
 $E = 114.86'$
 $R = 1527.89'$



NW1/4 NE1/4
 SEC. 25-76-27W
 (0.71 Acre)

N1/4 CORNER
 SEC. 25-76-27W
 (Set Capped Iron Pin)
 is N2°47'07"W 969.65' from
 P.O.C. Sta. 315 + 10.95

I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

Leslie J. Marousek
 Leslie J. Marousek, Reg. No. 6263 Date 5-19-92

P.L. Sta. 311 + 06.68
 $\Delta = 3°59'19"$ Rt.
 $D = 0'15'00"$
 $T = 798.05'$
 $L = 1595.45'$
 $E = 13.89'$
 $R = 22,916.31'$