

RECORDING 15⁰⁰/1⁰⁰
TRANSFER 5⁰⁰
21⁰⁰

6413 RECORDED 6413
BOOK 1998 PAGE _____

1998 JUN 19 A 10:02

CAROL HDL, RECORDER
DALLAS COUNTY, IOWA
3

Entered for Taxation this 20th
day of June, 1998
Carol H. D. L., Auditor
Richard P. Blin, Deputy
Book 18 Page 098



Form 635-054
j 25103 e

Sandy Jo Messingham, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010, 515-239-1345

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of Forty-seven Thousand Five Hundred and no/100----(\$47,500.00)----Dollars and other valuable consideration in hand paid by Iowa Department of Transportation, **JOSEPH S. BRICK AND JANET L. BRICK**, his wife, of Polk 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 Dallas County, Iowa:

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

Two parcels of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T79N, R26W of the 5th P.M., Dallas County, Iowa, identified as Parcel "A" and Parcel "B" on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof, more particularly described as follows:

PARCEL "A": Commencing at the NW Corner of said Sec. 35; thence S89°36'50"E along the north line of said Sec. 35, 1028.74 ft.; thence S0°23'10"W, 50 ft. to a point on the existing south right of way line of U.S. Highway 6 and to the Point of Beginning; thence S89°36'50"E along said south right of way line, 131.23 ft.; thence S0°23'07"W, 14.97 ft.; thence N89°36'53"W, 131.23 ft.; thence N0°23'07"E, 14.97 ft. to the Point of Beginning; containing a total of 1965 square feet.

AND

PARCEL "B": Commencing at the N $\frac{1}{4}$ Corner of said Sec. 35; thence S0°16'55"W, 50.00 ft. to a point on the existing south right of way line of U.S. Highway 6 and the Point of Beginning; thence continuing S0°16'55"W, 10.00 ft.; thence S79°44'50"W, 293.38 ft.; thence N89°36'53"W, 475.72 ft.; thence N0°23'07"E, 64.17 ft. to a point on said south right of way line; thence S89°36'50"E along said south right of way line, 764.04 ft. to the Point of Beginning; containing 41,218 square feet.

This easement and a certain Warranty Deed for Access Rights, executed by the above named grantors, are given in fulfillment of a certain real estate contract dated May 4, 1998, and recorded in the Dallas County Recorder's Office on May 12, 1998, in Book 1998, Page 4731.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.1.

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 June 16, 1998. (SIGN IN INK)

Joseph S. Brick
Joseph S. Brick

Janet L. Brick
Janet L. Brick

(NOTARY PLEASE COMPLETE LEFT AND RIGHT SIDES)

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF Iowa, COUNTY OF Polk } ss.

On this 16th day of June, A.D. 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared _____

Joseph S. Brick and Janet L. Brick

to me personally known
or _____ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

(SEAL)

Rachel M. Howe (Sign in Ink)
Rachel M. Howe (Print/Type Name)
Notary Public in and for the State of Iowa.

CAPACITY CLAIMED BY SIGNER:

- INDIVIDUAL
- CORPORATE
- Titles of Corporate Officer(s): _____
- Corporate Seal is affixed
- No Corporate Seal procured
- PARTNERSHIP: Limited General
- ATTORNEY-IN-FACT
- EXECUTOR(s) or TRUSTEE(s)
- GUARDIAN(s) or CONSERVATOR(s)
- OTHER: _____

SIGNER IS REPRESENTING:

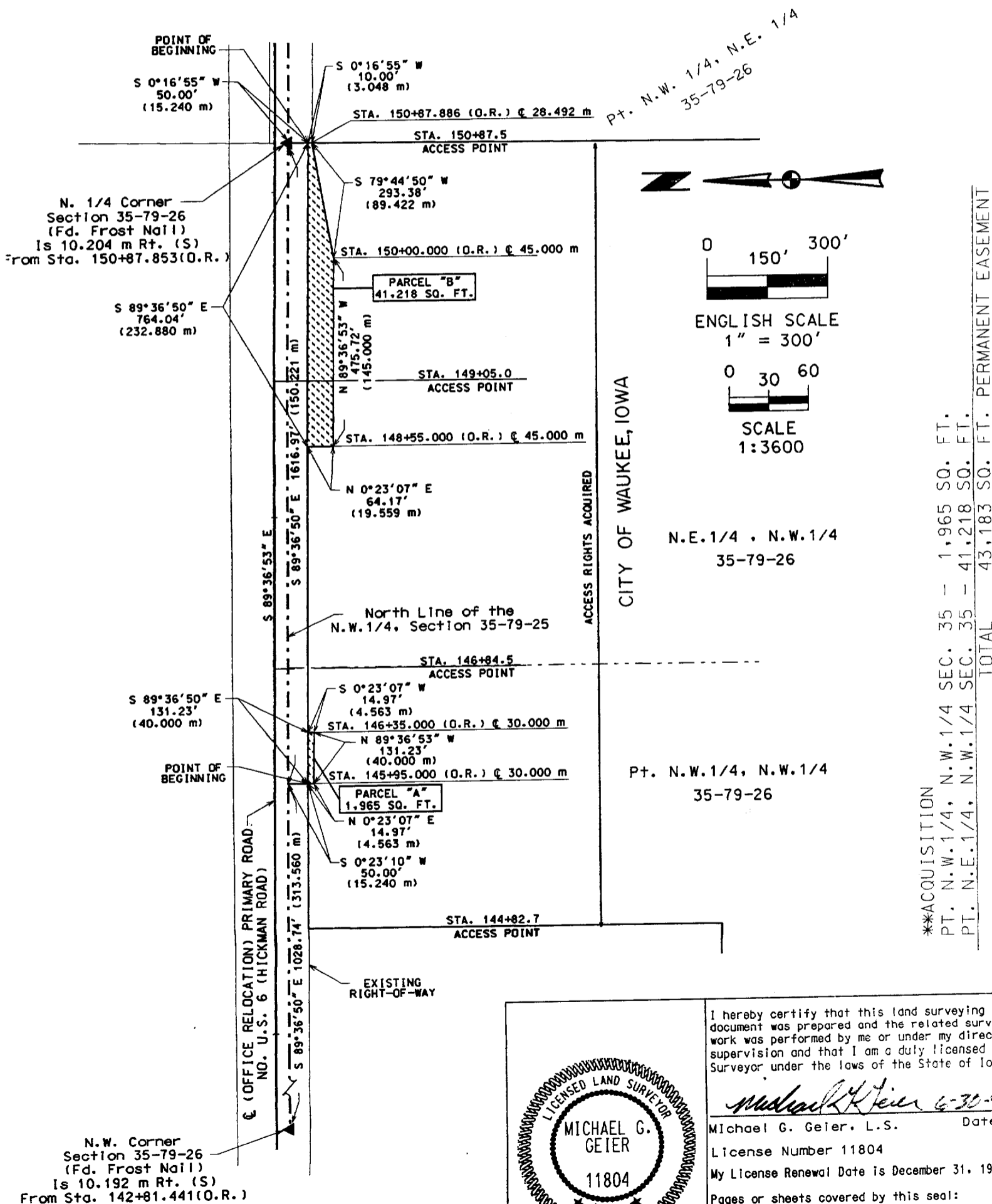
Names of entity(ies) or person(s)

IOWA DEPARTMENT OF TRANSPORTATION

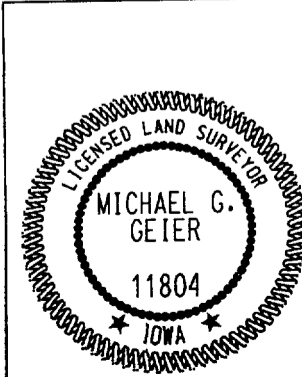


ACQUISITION PLAT EXHIBIT "A"

COUNTY DALLAS STATE CONTROL NO. 05-00
 PROJECT NO. STPN-6-3(49)--2J-25 PARCEL NO. 103
 SECTION 35 TOWNSHIP 79N RANGE 26W
 ROW - FEE _____ AC, EASE *43,183 sq. ft. AC, EXCESS - FEE _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. 144+82.668 TO STA. 150+87.835 MAIN LINE SOUTH SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE LINE _____ SIDE
 ACQUIRED FROM JOSEPH S. BRICK



**ACQUISITION
 PT. N.W. 1/4, N.W. 1/4 SEC. 35 - 1,965 SQ. FT.
 PT. N.E. 1/4, N.W. 1/4 SEC. 35 - 41,218 SQ. FT.
 TOTAL 43,183 SQ. FT. PERMANENT EASEMENT



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Surveyor under the laws of the State of Iowa.

Michael G. Geier
 Michael G. Geier, L.S. Date _____
 License Number 11804
 My License Renewal Date is December 31, 19____
 Pages or sheets covered by this seal: _____

DATE DRAWN 2-14-96 MKH
 REV. 4-25-96 SGT
 REV. 5-7-96 SGT
 REV. 6-13-97 KMM