

WARREN COUNTY, IOWA
FILED FOR RECORD

06 JUL 11 AM 11:10
BOOK 2006 PAGE 7170
JUDITH K. LATHROP, RECORDER

Entered in transfer book this 12th
day of July 2006
Traci Vander Linden Auditor
By Mary Lynn Keeney Deputy

DEPUTY

mpu

Prepared by return to: Warren County Engineer, 301 N Buxton, Indianola, IA 50125 515-961-1050

EASEMENT FOR PUBLIC HIGHWAY

Project No. FM-C091(58)--55-91

Parcel No. 2

KNOW ALL MEN BY THESE PRESENTS:

That Larry L Hughes Revocable Trust and Bettye J Hughes Revocable Trust of Warren County, State of Iowa, in consideration of the sum of NO (\$0.00) DOLLARS in hand paid by Warren County, Iowa, do hereby sell and convey unto Warren County, Iowa, an easement for road purposes and for use as a Public Highway, the following described premises situated in the County of Warren, State of Iowa, to-wit:

A parcel of land in the NW ¼, Section 17, T 77N, R 24W, of the 5th P.M., City of Norwalk, Warren County, Iowa: Beginning at the W ¼ Corner of said Section 17; thence on an assumed bearing of N 00°00'18" W along the west line of said NW ¼, 1626.68 feet; thence N 89°59'42" E, 60.00 feet; thence S 00°00'18" E, 1626.68 feet to the south line of said NW ¼; thence S 89°59'42" W along said south line, 60.00 feet to said W ¼ Corner and the point of beginning containing 2.25 acres inclusive of the established road right of way.

AND

A parcel of land in the SW ¼ of the NW ¼, Section 8, T 77N, R 24W, of the 5th P.M., Warren County, Iowa: Beginning at the W ¼ Corner of said Section 8; thence on an assumed bearing of N 01°08'40" E along the west line of said SW ¼ of the NW ¼, 614.95 feet to the SW Corner of Parcel K recorded in Irregular Plat Book 17, Page 13 of 77-24; thence S 88°51'20" E along the south line of said Parcel K, 118.55 feet; thence S 01°00'35" W, 142.44 feet; thence N 88°59'25" W, 60.00 feet; thence S 01°00'35" W, 471.83 feet; thence N 89°30'24" W, 60.00 feet to said W ¼ Corner and the point of beginning containing 1.04 acres inclusive of the established road right of way.

AND

A parcel of land in the SW ¼ of the NW ¼, Section 8, T 77N, R 24W, of the 5th P.M., Warren County, Iowa: Commencing at the W ¼ Corner of said Section 8; thence on an assumed bearing of N 01°08'40" E along the west line of said SW ¼ of the NW ¼, 843.35 feet to the NW Corner of Parcel K recorded in Irregular Plat Book 17, Page 13 of 77-24 and the point of beginning; thence continuing N 01°08'40" E along said west line, 498.46 feet; thence S 89°20'58" E, 56.85 feet; thence S 01°00'35" W, 498.95 feet to the north line of said Parcel K; thence N 88°51'20" W along said north line, 58.02 feet to said NW Corner and the point of beginning containing 0.65 acres inclusive of the established road right of way.

and we hereby covenant with the said Warren County that we are lawfully seized of said premises; that they are free from encumbrance; that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, and the said undersigned hereby relinquishes right of dower in and to the premises hereinbefore conveyed.

Signed this 30th day of June, A.D. 2006

x Larry L Hughes Rev. Trust
By Larry Hughes Trustee
Larry L Hughes Revocable Trust
x Bettye J. Hughes Rev. Trust
By Larry L Hughes Trustee
Bettye J Hughes Revocable Trust

STATE OF Iowa, County of Warren, ss.

On this 30th day of June, A.D. 2006, before me a Notary

Public in and for Warren County, State of Iowa, personally

appeared to me known to be the persons named in and who executed the foregoing instrument, and

acknowledged that Larry L. Hughes

executed the same as their voluntary act and deed.

9-7-09



TRACI L. VANDER LINDEN
COMMISSION NO. 712430
MY COMMISSION EXPIRES 9-7-09

Traci L. Vander Linden
Notary Public in and for said County

Instructions: If there be any encumbrances, fill out blank waivers on reverse side.

CONSENT OF LIENHOLDER

First Bank, a Iowa corporation, hereby consents to grant the Easement for Public Highway by and between Larry L. Hughes and Warren County, Iowa, and joins in the execution hereof solely as Lienholder and hereby does agree that in the event of the foreclosure of the mortgage recorded in Book 2001, Page 12367, in the Warren County Recorder's Office, or other sale of said property described in said mortgage under judicial or non-judicial proceedings, the same shall be sold subject to said Easement for Public Highway.

SIGNED AND EXECUTED this 10 day of July, 2006.

By: X [Signature] SVP

State of Iowa, County of Polk, ss

Before me, a Notary Public in and for said County, personally appeared Lawrence

A. TIDWELL of First Bank known to me to be the person and Officer whose name is subscribed to the foregoing instrument and who acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of said corporation.



Marlene Griffin
Notary Public in and for said County

EASEMENT PRIORITY AGREEMENT

For a good and valid consideration First Bank agrees that the easement for road purposes, and for use as a public highway granted Warren County, State of Iowa, in and to the premises described in the instrument on the reverse side hereof, shall be superior to the lien of the mortgage recorded in Book 2001, Page 12367, of the records in the office of the Recorder of Warren County, at Indianola, Iowa.

X [Signature] SVP

STATE OF Iowa, County of Polk, ss.

On this 10 day of July, A.D. 2006, before me a Notary

Public in and for Polk County, State of Iowa, personally

appeared to me known to be the person named in and who executed the foregoing instrument, and

acknowledged that LAWRENCE A. TIDWELL SVP

executed the same as their voluntary act and deed.



Marlene Griffin
Notary Public in and for said County

RIGHT OF WAY ACQUISITION PLAT

NW 1/4, SEC. 17, T 77N, R 24W

CITY OF NORWALK, WARREN COUNTY, IOWA

PARCEL 2A

250 0 250 500

NW COR., SEC. 17
PI Stn 36+64.76
Found 5/8" rebar

N 00°00'18" W
1025.79'

60.00'

N 89°59'42" E

26+27
60'

NW 1/4, NW 1/4

APPROXIMATE 1/4, 1/4 LINE
23+31

1626.68'
N 00°00'18" W

S 00°00'18" E
1626.68'

SW 1/4, NW 1/4

W 1/4 COR., SEC. 17
PI Stn 10+00
Found steelie in pvmt.

11+40
60'

NORTH LINE
G14 HWY

60.00'
S 89°59'42" W

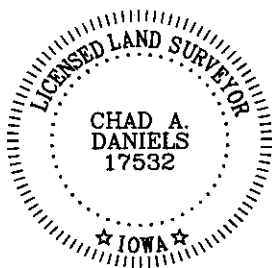
TRACT ACREAGE

Proposed R.O.W.
NW 1/4, NW 1/4 = 0.14 Acres
Existing R.O.W. Acreage = 0.28 Acres

Proposed R.O.W.
SW 1/4, NW 1/4 = 0.54 Acres
Existing R.O.W. Acreage = 1.29 Acres
Total Acreage of R.O.W. = 2.25 Acres

MONUMENTS

- ▲ section corner, set or found
- county & pin, set or found
- property corner found
- no monument set or found



I hereby certify that this land surveying document was prepared 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.

Signature

Chad A. Daniels

Date: 7/11/2006

License number 17532

My license renewal date is December 31, 2006

ROW ACQUISITION PLAT FOR: Larry L. & Bettye J. Hughes, Norwalk, IA 50211

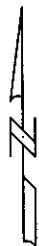
PROJECT NO.: FM-C091(58)--55-91

RIGHT OF WAY ACQUISITION PLAT

SW 1/4, NW 1/4, SEC. 8, T 77N, R 24W

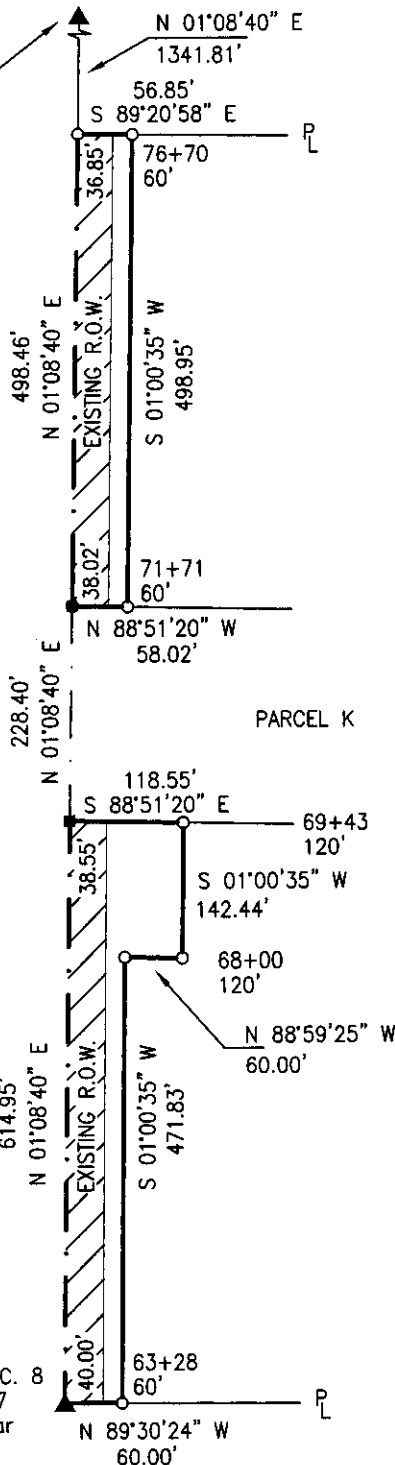
WARREN COUNTY, IOWA

PARCEL 2B



200 0 200 400

NW COR., SEC. 8
90+11.27, 6.31' Rt
Found 1/2" yellow
unreadable plastic
capped rebar over
concrete monument

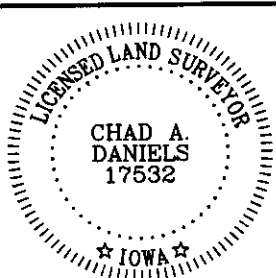


TRACT ACREAGE

Proposed R.O.W.
SW 1/4, NW 1/4 = 0.71 Acres
Existing R.O.W. Acreage = 0.98 Acres
Total Acreage of R.O.W. = 1.69 Acres

MONUMENTS

- ▲ section corner, set or found
- county Q pin, set or found
- found 1/2" yellow CIR #6808
- no monument set or found



I hereby certify that this land surveying document was prepared 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.

Signature: *Chad A. Daniels* Date: 7/11/2006
Chad A. Daniels

License number 17532
My license renewal date is December 31, 2006

ROW ACQUISITION PLAT FOR: Larry L. and Bettye J. Hughes, Norwalk, IA 50211

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