

Number: 20230176
BK: 2023 PG: 0176
Recorded: 2/21/2023 at 12:09:10.0 PM
County Recording Fee: \$57.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$60.00
Revenue Tax:
Tarah M. Berry, Recorder
Fremont County, Iowa



Prepared by & Return To: Maura Miller, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1029

DRAINAGE EASEMENT

For the consideration of ZERO AND NO/100—(\$0.00)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **JOYCE E. MCLAREN**, also known as **JOYCE MCLAREN**, a single person, and **BRUCE K. MCLAREN AND DONNA MCLAREN**, his wife, and **JULIA K. MCLAREN**, and **ELIZABETH A. MCLAREN AND PAUL KREGER**, her husband, do hereby grant to the **STATE OF IOWA**, a drainage easement over the following described real estate in Fremont County, Iowa:

A PERPETUAL EASEMENT FOR OVERLAND FLOWAGE AND DRAINAGE UNDER, THROUGH, ACROSS AND UPON GRANTOR'S PROPERTY DESCRIBED AS FOLLOWS:

A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 14 all in Township 69 North, Range 40 West of the 5th P.M., Fremont County, Iowa, as shown on Graphic Exhibit "A", Plat 1 of 2 and Plat 2 of 2, attached hereto and by reference made a part hereof. Said parcel is more particularly described as follows:

Beginning at the S $\frac{1}{4}$ Corner of Section 12; thence N1°49'19"E 1255.64 feet along the west line of the SE $\frac{1}{4}$ of said Section 12; thence S84°52'20"E 2042.20 feet; thence S86°17'43"W 765.88 feet; thence N77°32'37"W 669.74 feet; thence S54°39'31"W 736.21 feet; thence S0°51'11"E 1028.70 feet; thence N88°44'10"W 155.00 feet; thence N0°09'02"W 243.07 feet; thence S85°13'03"W 2325.94 feet; thence S13°05'31"W 585.43 feet; thence S23°24'03"E 1267.65 feet; thence N89°08'23"E 1402.96 feet; thence S1°15'50"W 204.00 feet; thence S89°58'08"W 929.24 feet; thence S4°59'12"W 585.24 feet; thence S81°28'24"W 488.11 feet; thence S39°20'08"W 147.35 feet; thence N1°35'54"E 254.00 feet; thence N75°27'23"E 271.65 feet; thence N25°06'51"E 311.61 feet; thence N67°34'30"W 432.14 feet; thence N33°16'04"W 1284.27 feet; thence N23°17'12"E 691.45 feet; thence N1°12'45"E 458.01 feet to the NW Corner Section 13 -69N-T40W; thence S89°39'59"E 2608.68 feet along the north line of NW $\frac{1}{4}$ of said Section 13 to the Point of Beginning, containing 42.09 acres.

Grantors hereby acknowledge that the above described real estate is presently or will be in the future subject to certain additional flows and drainage of water due to a project of the Iowa Department of Transportation known as NHSN-059-1(33)--2R-36 and this easement is for said additional flows and drainage of water as a result of the aforesaid project. Further, the Grantors hereby agree that the lump sum payment as shown on the referenced purchase agreement is payment in full for any and all damages arising from

the increased flow and drainage of water due to said project.

This easement, and a certain Easement for Public Highway to the State of Iowa, executed by the above named grantors are given in fulfillment of a certain Purchase Agreement dated September 1, 20 22, and recorded in the Fremont County Recorder's Office on September 16, 20 22, at Book 2022, Page 1326, as Document No. 20221326, except for those terms that survive the execution of this document.

The additional amount of \$ 146,450.00, as agreed to by the aforesaid Agreement, is paid as severance damages to the remaining property and is not subject to real estate transfer tax.

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 grant an easement on the real estate; 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.

The terms of this agreement shall be deemed to run with the land and be binding upon grantors successors.

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 July 27, 2022

Joyce McLaren (Sign in Ink)
Joyce E. McLaren

STATE OF IOWA, COUNTY OF POLK, ss:

This instrument was acknowledged before me on July 27, 2022 by Joyce E. McLaren.

Dawn Johnson (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)



Dated July 27, 2022

Bruce McLaren (Sign in Ink)
Bruce K. McLaren

Donna McLaren (Sign in Ink)
Donna McLaren

STATE OF IOWA, COUNTY OF POLK, ss:

This instrument was acknowledged before me on July 27, 2022, by Bruce K. McLaren and Donna McLaren.

Dawn Johnson (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)



Dated July 27, 20 22

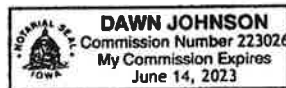
Julie M McLaren (Sign in Ink)
Julia K. McLaren

STATE OF IOWA, COUNTY OF POLK, ss:

This instrument was acknowledged before me on July 27, 20 22, by Julia K. McLaren.

Dawn Johnson (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)



Dated July 27, 2022

Elizabeth A. McLaren (Sign in Ink)
Elizabeth A. McLaren

Paul Kreger (Sign in Ink)
Paul Kreger

STATE OF IOWA, COUNTY OF POLK, ss:

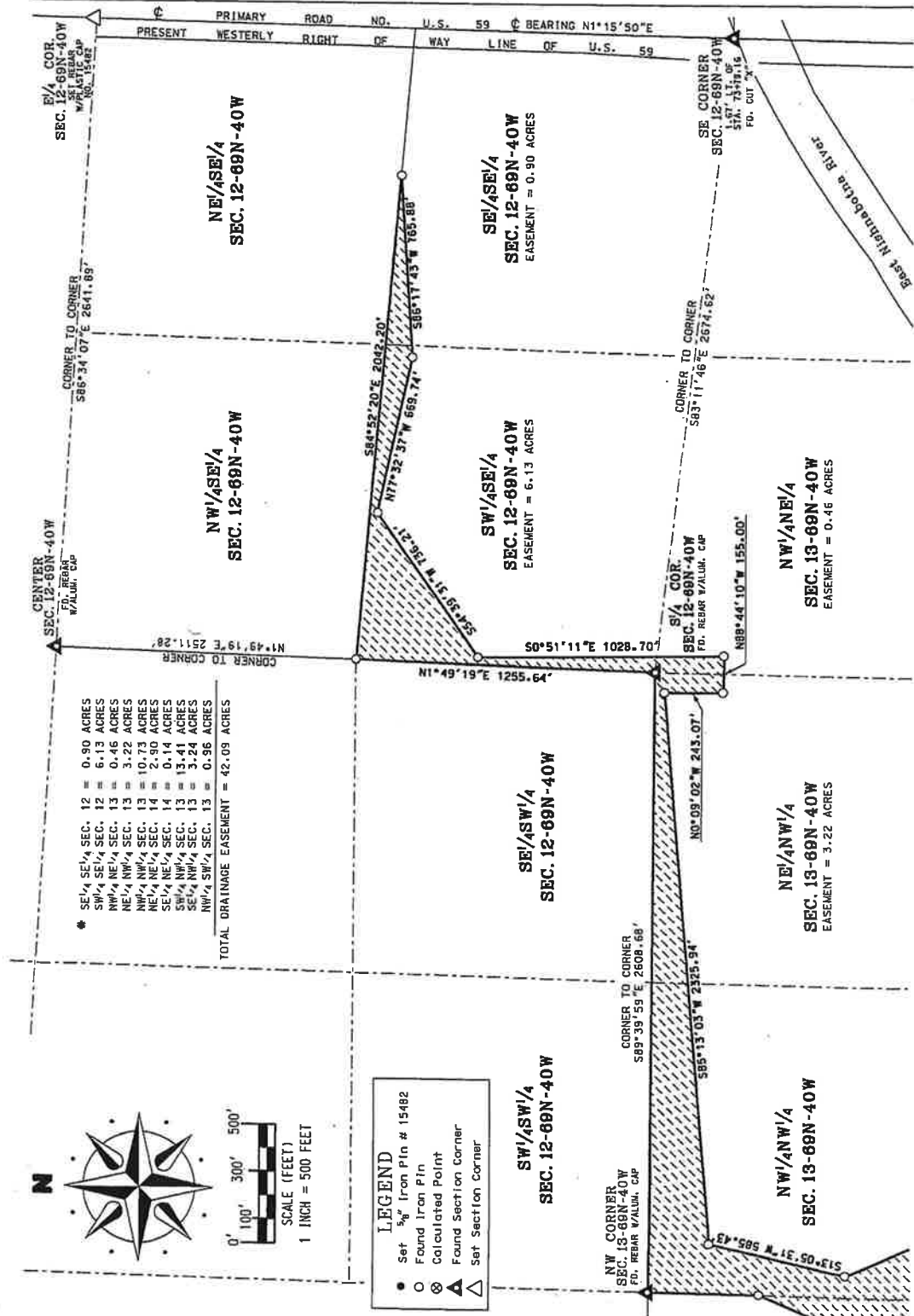
This instrument was acknowledged before me on July 27, 2022, by Elizabeth A. McLaren and Paul Kreger.

Dawn Johnson (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)



COUNTY **FREMONT** STATE CONTROL NO. _____
PROJECT NO. **NHSN-059-1(33)--2R-36** PARCEL NO. **1**
SECTION **12, 13, 14** TOWNSHIP **69N** RANGE **40W**
ROW - FEE _____ SQ. FT., EASE *** 42.09** ACRES. QUIT CLAIM _____ AC.
ACQUIRED FROM _____





IOWA DEPARTMENT OF TRANSPORTATION
GRAPHIC EXHIBIT "A"
PLAT 2 OF 2



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PROJECT NO. **NHSN-059-1(33)--2R-36** PARCEL NO. **1**
SECTION **12, 13, 14** TOWNSHIP **69N** RANGE **40W**
ROW - FEE _____ SQ. FT., EASE _____ ACRES, QUIT CLAIM _____ AC.
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