

Number: 20230177
BK: 2023 PG: 0177
Recorded: 2/21/2023 at 12:09:11.0 PM
County Recording Fee: \$47.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$50.00
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
Address Tax Statements: Tax Exempt-IA Code Sec. 427.2 Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of ONE HUNDRED TWENTY THOUSAND SEVEN HUNDRED FIFTY AND NO/100---(\$120,750.00)---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 permanent easement for road purposes and for use as a Public Highway in, to, on, over and across the following described real estate in Fremont County, Iowa:

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

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

Commencing at the NE Corner of Section 13; thence S1°13'38"W 54.10 feet along the east line of the NE $\frac{1}{4}$ of said Section 13; thence N88°46'22"W 98.37 feet to a point on the present westerly right of way line of Primary Road no. U.S. 59, the Point of Beginning; thence S57°17'52"W 979.06 feet; thence S75°03'17"W 89.56 feet; thence N31°58'04"W 34.67 feet; thence N49°20'59"E 407.18 feet; thence N55°58'17"E 624.84 feet; thence N24°03'51"E 292.89 feet to a point on said present westerly right of way line; thence S3°10'23"W 285.16 feet along said present westerly right of way line; thence S1°15'50"W 75.00 feet along said present westerly right of way line to the Point of Beginning, containing 3.09 acres.

and,

Commencing at the NE Corner of Section 13; thence S1°13'38"W 232.10 feet along the east line of the NE $\frac{1}{4}$ of said Section 13; thence N88°46'22"W 98.48 feet to a point on the present westerly right of way line of Primary Road no. U.S. 59, the Point of Beginning; thence S1°15'50"W 412.00 feet along said present westerly right of way line; thence N53°40'36"W 69.63 feet; thence S66°51'39"W 924.60 feet; thence N7°37'55"W 116.40 feet; thence N56°23'37"E 1117.68 feet to the Point of Beginning, containing 4.96 acres.

This easement, and a certain Flowage Easement, to the State of Iowa, executed by the above named grantors are given in fulfillment of a certain Purchase Agreement dated September 4, 2022, and recorded in the Fremont County Recorder's Office on September 6, 2022 at Book 2022, Page 1326, as Document No. 20221326, except for those terms that survive the execution of this document.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

This easement is being acquired for public purposes through eminent domain 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 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.

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 E. 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, 2022

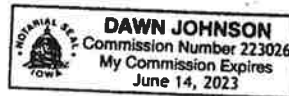
Julia McLaren (Sign in Ink)
Julia K. McLaren

STATE OF IOWA, COUNTY OF POLK, ss:

This instrument was acknowledged before me on July 27, 2022
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** TOWNSHIP **69N** RANGE **40W**
ROW - FEE _____ AC. EASE *** 8.05** ACRES, QUIT CLAIM _____ AC
ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE ROAD _____ SIDE
ACQUIRED FROM _____

* SE¹/₄ SE¹/₄ SEC. 12-69N-40W = 0.38 ACRES
NE¹/₄ NE¹/₄ SEC. 13-69N-40W = 7.67 ACRES
TOTAL EASEMENT = 8.05 ACRES

