Recorded: 8/21/2023 at 2:39:46.0 PM

County Recording Fee: \$42.00 lowa E-Filing Fee: \$3.00 Combined Fee: \$45.00

Revenue Tax:

Delaware County, Iowa
Daneen Schindler RECORDER

BK: 2023 PG: 1987



Prepared by & Return To: Stacia L. Turner, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1269

INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: The Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 19 and the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 20, Township 90 North, Range 5 West of the 5th P.M.

	STATE OF		, COUNTY OF	Delaware	, ss:
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We, Donald E. Keppler and Catherine A. Keppler, being first duly sworn and under oath, state of our personal knowledge that:

- 1. We are the trustees under the Donald E. and Catherine A. Keppler Living Trust, to which the above described real estate was conveyed to the trustees by Donald E. Keppler and Catherine A. Keppler, husband and wife pursuant to an instrument recorded in the Delaware County Recorder's Office on December 6, 2007, in Book 2007 Page 3910 as Instrument No. 2007 3910.
- 2. We are the presently existing trustees under the Trust and we are authorized to grant an easement to the **STATE OF IOWA** AND **DELAWARE COUNTY, IOWA**, without any limitation or qualification whatsoever:

Parcel A

A parcel of land located in the Northeast Quarter (NE¼) of the Northeast Quarter (NE½) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, lowa, as shown on the Acquisition Plat Exhibit "A-1 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southeast corner of the Northeast Quarter (NE¼) of the Northeast Quarter (NE½) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa; thence South 89° 46' 13" West 63.36 feet along the South line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE⅓) of said Section Nineteen (19) to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along the South line of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) South 89° 46' 13" West 14.23 feet; thence North 18° 50' 04" West 119.95 feet; thence North 08° 11' 43" East 360.34 feet; thence North 05° 39' 36" West 180.47 feet; thence North 10° 46' 09" East 132.67 feet; thence North 18° 20' 16" East 59.50 feet to the said existing Westerly right of way line; thence South 01° 39' 07" West 836.89 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.59 acres more or less.

AND

Parcel B

A parcel of land located in the Northeast Quarter (NE¼) of the Northeast Quarter (NE½) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-1 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northeast corner of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa; thence South 01° 53' 37" West 307.73 feet along the East line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of said Section Nineteen (19); thence North 88° 06' 23" West 67.61 feet to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 19° 42' 35" West 19.33 feet; thence North 02° 42' 21" West 115.11 feet; thence North 06° 45' 14" East 139.69 feet to the existing Southerly right of way line of 130th Steet; thence North 89° 39' 48" East 3.37 feet along said existing Southerly right of way line to said existing Westerly right of way line to said existing Vesterly right of way line to the Point of Beginning, containing 0.06 acres more or less.

Note: The East line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, lowa is assumed to bear North 01° 53' 37" East.

AND

Parcel C

A parcel of land located in the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, lowa, as shown on the Acquisition Plat Exhibit "A-2 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, lowa; thence North 87° 27' 39" East 56.83 feet along the South line of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of said Section Twenty (20) to the existing Easterly right of way line of lowa Highway 13 and the Point of Beginning; thence North 01° 39' 07" East 576.21 feet along said existing Easterly right of way line; thence continuing along said existing Easterly right of way line North 89° 57' 37" West 21.24 feet; thence continuing along said existing Easterly right of way line North 01° 53' 37" East 267.03 feet; thence South 25° 56' 45" East 25.96 feet; thence South 01° 40' 58" East 154.26 feet; thence South 36° 20' 13" East 40.61 feet; thence South 06° 57' 07" West 162.69 feet; thence South 06° 07' 26" East 376.47 feet; thence South 01° 23' 30" East 93.86 feet to the South line of said

Northwest Quarter (NW½) of the Northwest Quarter (NW½); thence South 87° 27' 39" West 66.96 feet along the South line of said Northwest Quarter (NW½) of the Northwest Quarter (NW½) to the Point of Beginning, containing 0.64 acres more or less.

Note: The West line of the Northwest Quarter (NW½) of the Northwest Quarter (NW½) of Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, lowa is assumed to bear North 01° 53' 37" East.

AND

Parcel D

A parcel of land located in the Northeast Quarter (NE¼) of the Northeast Quarter (NE½) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, lowa, as shown on the Acquisition Plat Exhibit "A-1 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northeast corner of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa; thence South 89° 39' 48" West 122.16 feet along the North line of the Northeast Quarter (NE½) of the Northeast Quarter (NE½) of said Section Nineteen (19); thence South 00° 20' 12" East 33.00 feet to the existing Southerly right of way line of 130th Street and the Point of Beginning; thence North 89° 39' 48" East 48.70 feet along said existing Southerly right of way line; thence South 06° 45' 14" West 9.86 feet; thence North 78° 41' 30" West 48.49 feet to the Point of Beginning, containing 0.01 acres more or less.

Note: The North line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE½) of Section Nineteen (19), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, Iowa is assumed to bear South 89° 39' 48" West.

AND

Parcel E

A parcel of land located in the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, lowa, as shown on the Acquisition Plat Exhibit "A-2 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northwest corner of Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, Iowa; thence North 89° 57' 49" East 166.63 feet along the North line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section Twenty (20); thence South 00° 02' 12" East 33.00 feet to the existing Southerly right of way line of 130th Street and the Point of Beginning; thence South 60° 04' 28" West 158.46 feet to the existing Easterly right of way line of Iowa Highway 13; thence North 01° 53' 37" East 79.01 feet along

said existing Easterly right of way line to said existing Southerly right of way line of 130th Street; thence North 89° 57' 49" East 134.72 feet along said existing Southerly right of way line to the Point of Beginning, containing 0.12 acres more or less.

Note: The North line of the Northwest Quarter (NW½) of the Northwest Quarter (NW½) of Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, lowa is assumed to bear North 89° 57' 49" East.

- 3. The Trust is in existence and we as trustees are authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.
 - 4. The grantor of the trust is alive.
- 5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.

DONALD E. KEPPLER, Affiant

(Sune 21, 2023)

Catherine A Keppler (Signin Ink)
CATHERINE A. KEPPLER, Afriant

(June 22, 2023)

Subscribed and sworn to before me by Donald E. Keppler and Catherine A. Keppler on this day of _______, 20<u>23</u>.

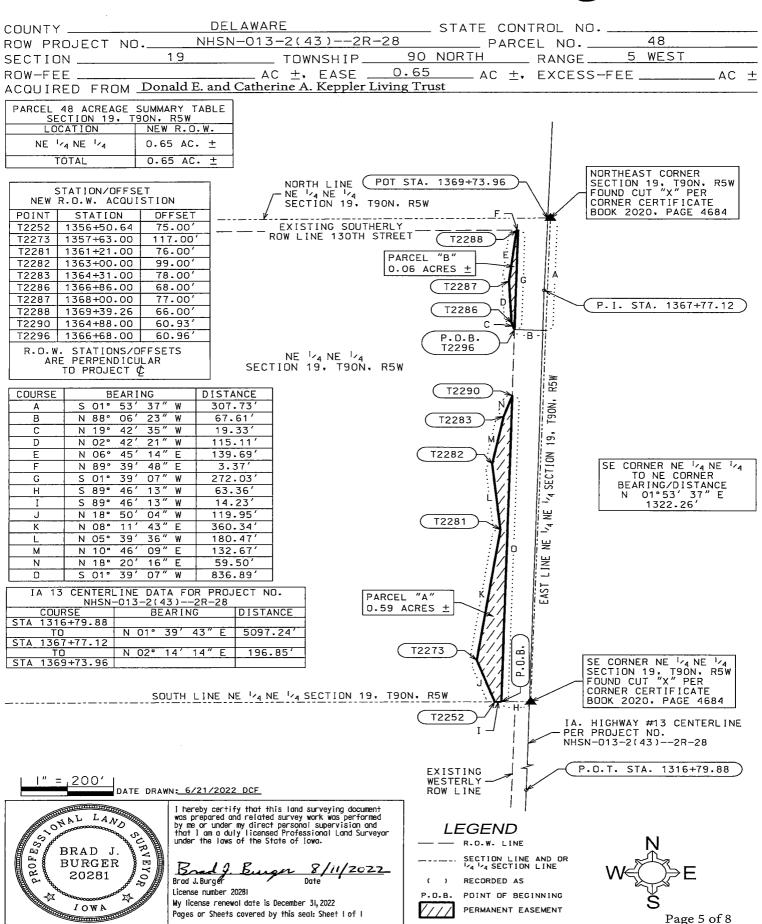
ZACH D. ENGSTROM
Commission Number 791493
My Commission Expires
SS(0-2023

Notary Public. (Sign in Ink)

(AFFIX NOTARIAL SEAL ABOVE ▲)

ACQUISITION PLAT EXHIBIT "A-1 OF 2"

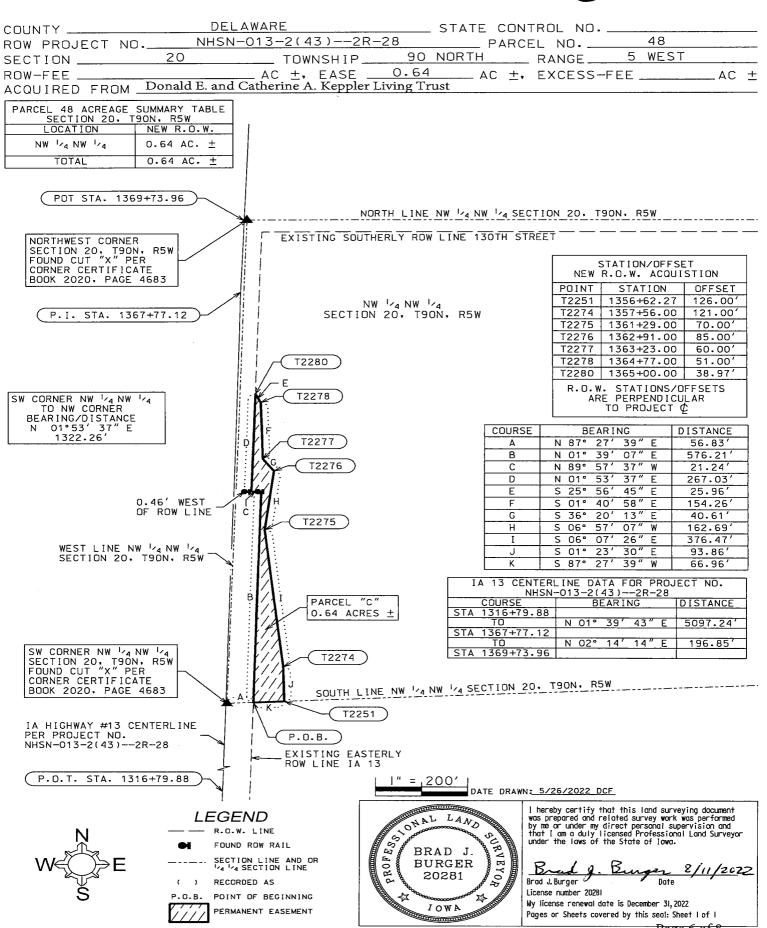




ACQUISITION PLAT EXHIBIT "A-2 OF 2"

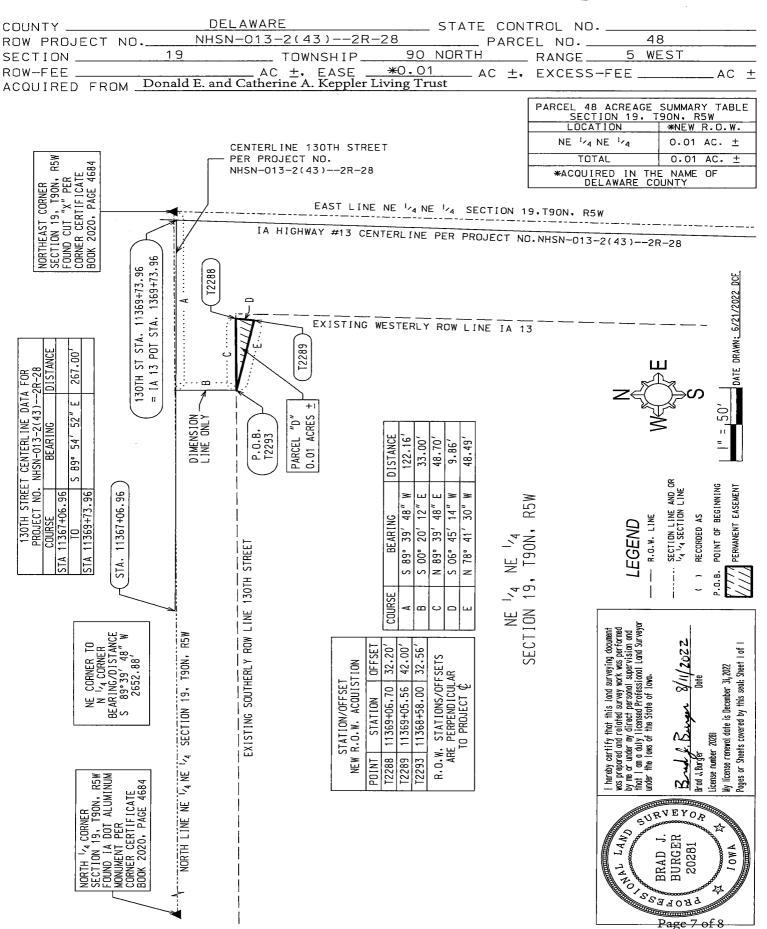


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ACQUISITION PLAT EXHIBIT "A-1 OF 2"





ACQUISITION PLAT EXHIBIT "A-2 OF 2"



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