

Recorded: 9/12/2023 at 9:28:05.0 AM  
County Recording Fee: \$17.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$20.00  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2023 PG: 2229



Prepared by & Return To: Allyssa Myers, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1757

## INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: Lots 1, 5, 6, 8, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21, 22, 23, 24 and 25 of Fawn Trail, a Subdivision of Parcel C in the Northwest Quarter of the Southwest Quarter of Section 17 and Parcel G in the Northeast Quarter of the Southwest Quarter of Section 18, all in Township 89 North, Range 5 West of the 5<sup>th</sup> P.M., Delaware County, Iowa, according to the plat recorded in Book 2005 at Page 1694 of the records of the Delaware County, Iowa, Recorder.

STATE OF Iowa, COUNTY OF Delaware, ss:

I, Daniel A. Schulte, being first duly sworn and under oath, state of our personal knowledge that:

1. I am the trustee under the Daniel A. Schulte Trust Agreement, executed March 22, 2011, to which the above described real estate was conveyed to the trustee by Daniel A. Schulte and Ann L. Schulte, pursuant to an instrument recorded in the Delaware County Recorder's Office on March 29, 2011, in Book 2011, Page 1074.

2. I am the presently existing trustees under the Trust and we are authorized to grant an easement to the **STATE OF IOWA**, without any limitation or qualification whatsoever:

A parcel of land located in Lot 1 and Lot 25 of Fawn Trail, a subdivision of Parcel C in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Seventeen (17), and Parcel G in the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section Eighteen (18), all in Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Seventeen (17), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa; thence South 88° 17' 40" West 59.73 feet along the North line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section Seventeen (17) and the North line of Lot 25 of Fawn Trail, a subdivision of Parcel C in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Seventeen (17), and Parcel G in the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section

Eighteen (18), all in Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa as recorded in the Book 2005, Page 1694 in the Office of the Delaware County Recorder to the Point of Beginning; thence South 01° 55' 53" East 478.50 feet along the existing Westerly right of way line of Iowa Highway 13 to the South line of Lot 1 of said Fawn Trail; thence South 88° 17' 40" West 13.81 feet along the South line of said Lot 1; thence North 02° 31' 15" West 478.55 feet to the North line of said Lot 25, also being the North line of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4); thence North 88° 17' 40" East 18.73 feet along the North line of said Lot 25 and the North line of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) to the Point of Beginning, containing 0.18 acres more or less.

**Note:** The North line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Seventeen (17), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear South 88° 17' 40" West.

3. The Trusts are 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.

  
\_\_\_\_\_  
Daniel A. Schulte, Affiant (Sign in Ink)

  
\_\_\_\_\_  
Ann L. Schulte, Affiant (Sign in Ink)

Subscribed and sworn to before me by Daniel A. Schulte and Ann L. Schulte on this 12 day of July, 2023



  
\_\_\_\_\_  
Notary Public. (Sign in Ink)

(AFFIX NOTARIAL SEAL ABOVE ▲)

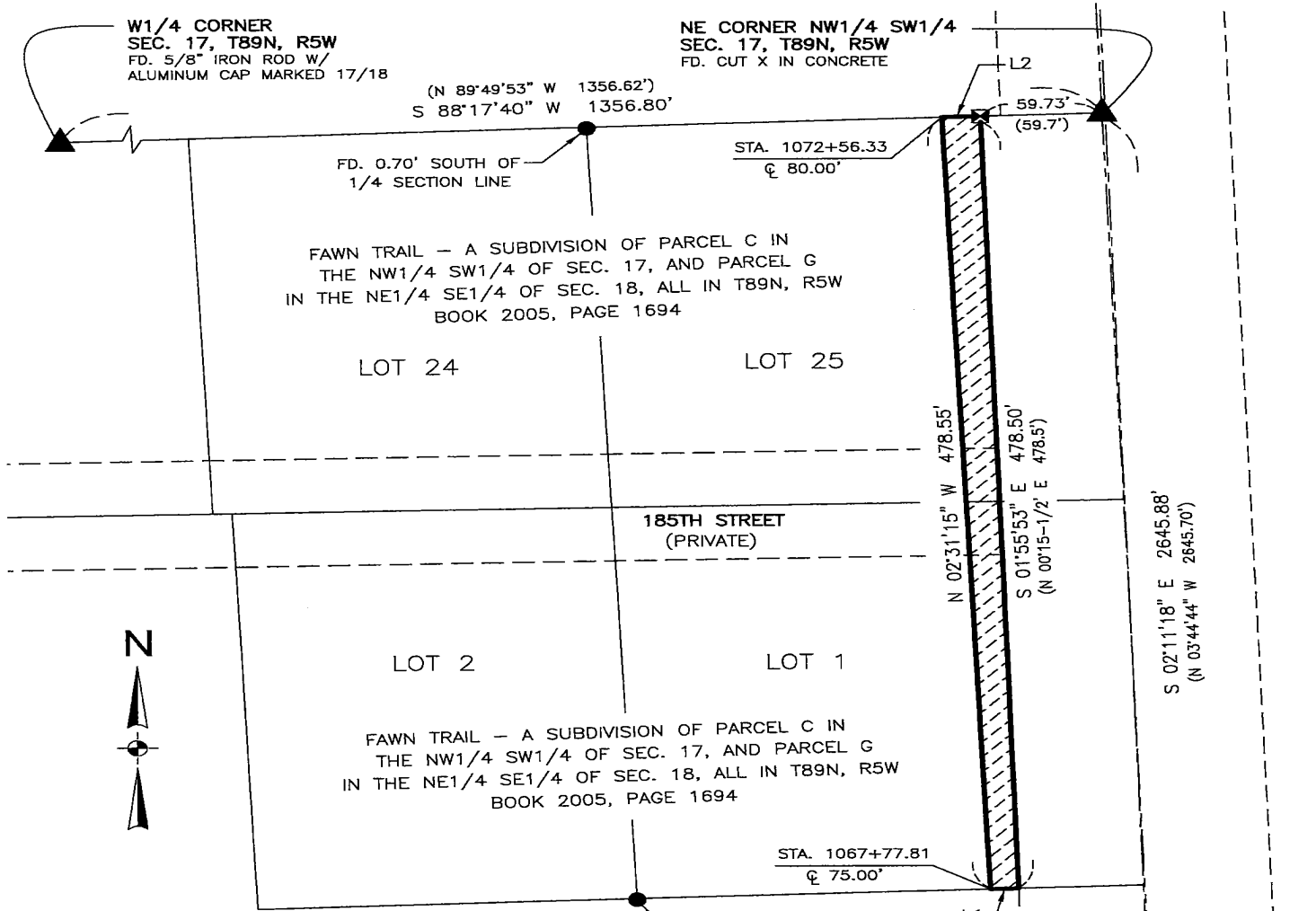
# Iowa Department of Transportation

ACQUISITION PLAT

EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 12  
 SECTION 17 TOWNSHIP 89 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE 0.18 +/- AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED FROM \_\_\_\_\_

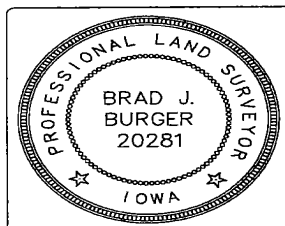


## LEGEND

- FD. R.O.W. RAIL
- FD. 1/2" IRON ROD W/ ORANGE CAP #10165
- PERMANENT EASEMENT
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- CENTERLINE
- R.O.W. LINE RECORDED AS
- P.O.B. POINT OF BEGINNING

LINE	BEARING	DISTANCE
L1	S 88°17'40" W	13.81'
L2	N 88°17'40" E	18.73'

IOWA HIGHWAY #13  
 C PER PROJECT NO.  
 NHSN-013-2(43)--2R-28  
 C BEARING: N 01°55'20" W



I hereby certify that this land surveying document was prepared and the related survey work was performed 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.

*Brad J. Burger* 7/27/2022  
 BRAD J. BURGER LICENSE NO. 20281 DATE  
 My license renewal date is December 31, 2022.

Pages or sheets covered by this seal: This page only

SE CORNER SW1/4 SW1/4 SEC. 17, T89N, R5W  
 FD. MAG NAIL

