

Recorded: 9/20/2023 at 3:21:48.0 PM
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: 2361



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 West fractional one-half of the Northwest Quarter of Section 5, Township 90 North, Range 5 West of the 5th P.M., Delaware County, Iowa.

STATE OF Iowa, COUNTY OF Delaware, ss:

We, Denise Child and Jody Kerns, being first duly sworn and under oath; state of our personal knowledge that:

1. We are the trustees under the **JOSEPH C. KINTZLE REVOCABLE TRUST**, to which the above described real estate was conveyed to the trustees by Joseph C. Kintzle, pursuant to an instrument recorded in the Delaware County Recorder's Office on August 1, 2016, in Book 2016, Page 1983, Document No. 2016 1983.

2. We are 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 the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Five (5), 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", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the West Quarter (W $\frac{1}{4}$) corner of Section Five (5), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa; thence North 82° 52' 09" East 60.20 feet along the South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Five (5) to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 02° 49' 49" East 1143.61 feet along said existing Easterly right of way line; thence continuing along said existing Easterly right of way line North 14° 15' 04" East 101.94 feet; thence South 03° 53' 46" West 262.19 feet; thence South 02° 46' 14" East 102.49 feet; thence South 02° 26' 08" West 873.90 feet to the South line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); thence South 82° 52' 09" West 31.81 feet along the South line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) to the Point of Beginning, containing 0.70 acres more or less.

Note: The West line of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section Five (5), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) P. M., Delaware County, Iowa is assumed to bear North 02° 35' 31" 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.

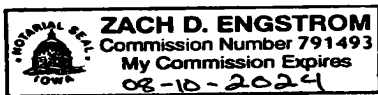
4. The grantor of the trust ~~is alive:~~ passed away on December 9, 2022.

5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.

Denise Child (Sign in Ink)
DENISE CHILD, Affiant

Jody M. Kerns (Sign in Ink)
JODY KERNS, Affiant

Subscribed and sworn to before me by Denise Child and Jody Kerns on this 15th day of August, 2023.



[Signature] (Sign in Ink)
Notary Public.

(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. 60
 SECTION 5 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.70 ± AC, EXCESS-FEE _____ AC
 ACQUIRED FROM JOSEPH C. KINTZLE REVOCABLE TRUST

NORTHWEST CORNER
 SECTION 5, T90N, R5W
 FOUND MAG NAIL WITH
 STAINLESS STEEL WASHER
 PER CORNER CERTIFICATE
 BOOK 2020, PAGE 4678

PARCEL 60 ACREAGE SUMMARY TABLE SECTION 5, T90N, R5W	
LOCATION	NEW R.O.W.
SW 1/4 NW 1/4	0.70 ± AC.
TOTAL	0.70 ± AC.

IA 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
PT 1481+85.01		
TD	N 02° 49' 44" E	3287.44'
TS 1514+72.45		

COURSE	BEARING	DISTANCE	(RECORD)
A	N 82° 52' 09" E	60.20'	
B	N 02° 49' 49" E	1143.61'	
C	N 14° 15' 04" E	101.94'	(102.00')
D	S 03° 53' 46" W	262.19'	
E	S 02° 46' 14" E	102.49'	
F	S 02° 26' 08" W	873.90'	
G	S 82° 52' 09" W	31.81'	

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
1718	1514+18.15	69.88'
T2016	1510+54.00	75.00'
T2017	1511+56.00	65.00'
T2018	1501+80.12	81.00'

R.O.W. STATIONS/OFFSETS
ARE PERPENDICULAR
TO PROJECT C

SW 1/4 NW 1/4
 SECTION 5, T90N, R5W

SE CORNER SW NW
 SECTION 5, T90N, R5W
 FOUND STONE
 PER CORNER CERTIFICATE
 BOOK 2020, PAGE 4678

WEST 1/4 CORNER
 SECTION 5, T90N, R5W
 FOUND CUT "X"
 PER CORNER CERTIFICATE
 BOOK 2020, PAGE 4678

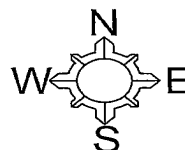
SOUTH LINE SW 1/4 NW 1/4 SECTION 5, T90N, R5W
 N 82° 52' 09" E, 1323.32'

IA HIGHWAY #13 CENTERLINE
 PER PROJECT NO.
 NHSN-013-2(43)--2R-28

PT 1481+85.01

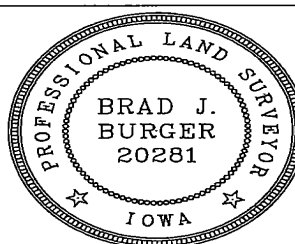
LEGEND

- FOUND 5/8" REBAR
W/ALUMINUM DOT ROW CAP
- R.O.W. LINE
- - - FENCE LINE
- - - SECTION LINE AND OR
1/4 1/4 SECTION LINE
- () RECORDED AS
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT



1" = 300'

DATE DRAWN: 5/11/2022 DCF



I hereby certify that this land surveying document
 was prepared and related survey work was performed
 by me or under my direct personal supervision and
 that I am a duly licensed Professional Land Surveyor
 under the laws of the State of Iowa.

Brad J. Burger 8/22/2022
 Brad J. Burger Date

License number 20281

My license renewal date is December 31, 2022

Pages or Sheets covered by this seal: Sheet 1 of 1