

Recorded: 9/25/2023 at 10:13:38.0 AM
County Recording Fee: \$32.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$35.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2401



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

INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: The "Miller Farm" as legally described as follows: The South $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 6, Township 89 North, Range 5 West of the 5th P.M., subject to highways and easements of record except that part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 6, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa described as commencing at the Southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 6, thence East 405.1 feet to the point of beginning, thence North 11°35' East 450.5 feet, thence North 1°51' East 492.5 feet, thence South 89°21' East 364.7 feet, thence South 5°16' West 294.6 feet, thence North 88°21' West 242.0 feet, thence South 21°19' West 118.9 feet, thence South 11°31' West 543.1 feet, thence West 50.3 feet to the point of beginning, said parcel contains approximately 3.22 acres subject to road right of way and easement of record. The South line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 6 is assumed to bear due East and West.

STATE OF Iowa, COUNTY OF Delaware, ss:

We, Susan K. Broghammer and Ellen L. Broesder, being first duly sworn and under oath, state of my personal knowledge that:

1. We are the Successor Co-Trustees under the Trust Agreement of Delrose G. Broghammer dated January 6, 2012, to which the above described real estate was conveyed to the trustee by Anthony C. Broghammer and Delrose G Broghammer, pursuant to an instrument recorded in the Delaware County Recorder's Office on January 9, 2012, in Book 2012, Page 81.

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:

Two parcels/tracts of land located in the SE $\frac{1}{4}$ of the NE Fr $\frac{1}{4}$ of Section 6, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A1 of 2" and "A2 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Parcel/Tract A

Commencing at the East $\frac{1}{4}$ corner of Section 6, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa; thence South 89°18'49" West 71.26 feet along the South line of the SE $\frac{1}{4}$ of the NE Fr $\frac{1}{4}$ of said Section 6; thence North 01°38'28" East 130.64 feet to the Point of Beginning, corner also being at the intersection of the existing Westerly right of way line of Iowa

Highway 13 with the existing Northerly right of way line of 165th Street; thence South 45°29'06" West 28.22 feet along said existing Northerly right of way line of 165th Street; thence North 05°13'33" East 312.60 feet to said existing Westerly right of way line of Iowa Highway 13; thence South 01°38'28" West 291.64 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.07 acres more or less.

and,

Parcel/Tract B

Commencing at the East ¼ corner of Section 6, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa; thence South 89°18'49" West 71.26 feet along the South line of the SE¼ of the NE Frl.¼ of said Section 6; thence North 01°38'28" East 130.64 feet to the intersection of the existing Westerly right of way line of Iowa Highway 13 with the existing Northerly right of way line of 165th Street; thence North 01°38'28" East 688.64 feet along said existing Westerly right of way line of Iowa Highway 13 to the Point of Beginning; thence North 02°29'32" West 288.76 feet; thence North 06°15'17" East 162.52 feet; thence North 18°51'01" East 26.17 feet to said existing Westerly right of way line of Iowa Highway 13; thence South 01°38'28" West 475.00 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.12 acres more or less.

Note: The South line of the SE¼ of the NE Frl.¼ of Section 6, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa is assumed to bear South 89°18'49" West.

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 passed away March 24, 2015.
5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.

Dated July 12, 2023

Susan Broghammer Co Trustee (Sign in Ink)
Susan K. Broghammer, Successor Co-Trustee

Subscribed and sworn to before me by Susan K. Broghammer on this 12 day of
July, 2023



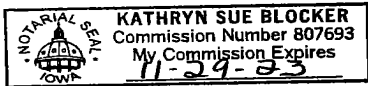
[Signature] (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Dated June 26, 2023

Ellen L. Broesder (Sign in Ink)
Ellen L. Broesder, Successor Co-Trustee,

Subscribed and sworn to before me by Ellen L. Broesder on this 26 day of June, 2023



Kathryn S. Blocker (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

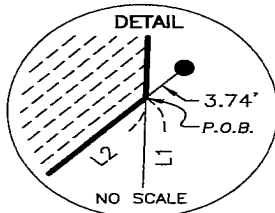
Iowa Department of Transportation

ACQUISITION PLAT
EXHIBIT "A1 OF 2"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 31
 SECTION 6 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.07 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____

LINE	BEARING	DISTANCE
L1	N 01°38'28" E	130.64'
L2	S 45°29'06" W (N 43°45'10" E)	28.22'
L3	S 45°29'06" W (N 43°45'10" E)	73.51'

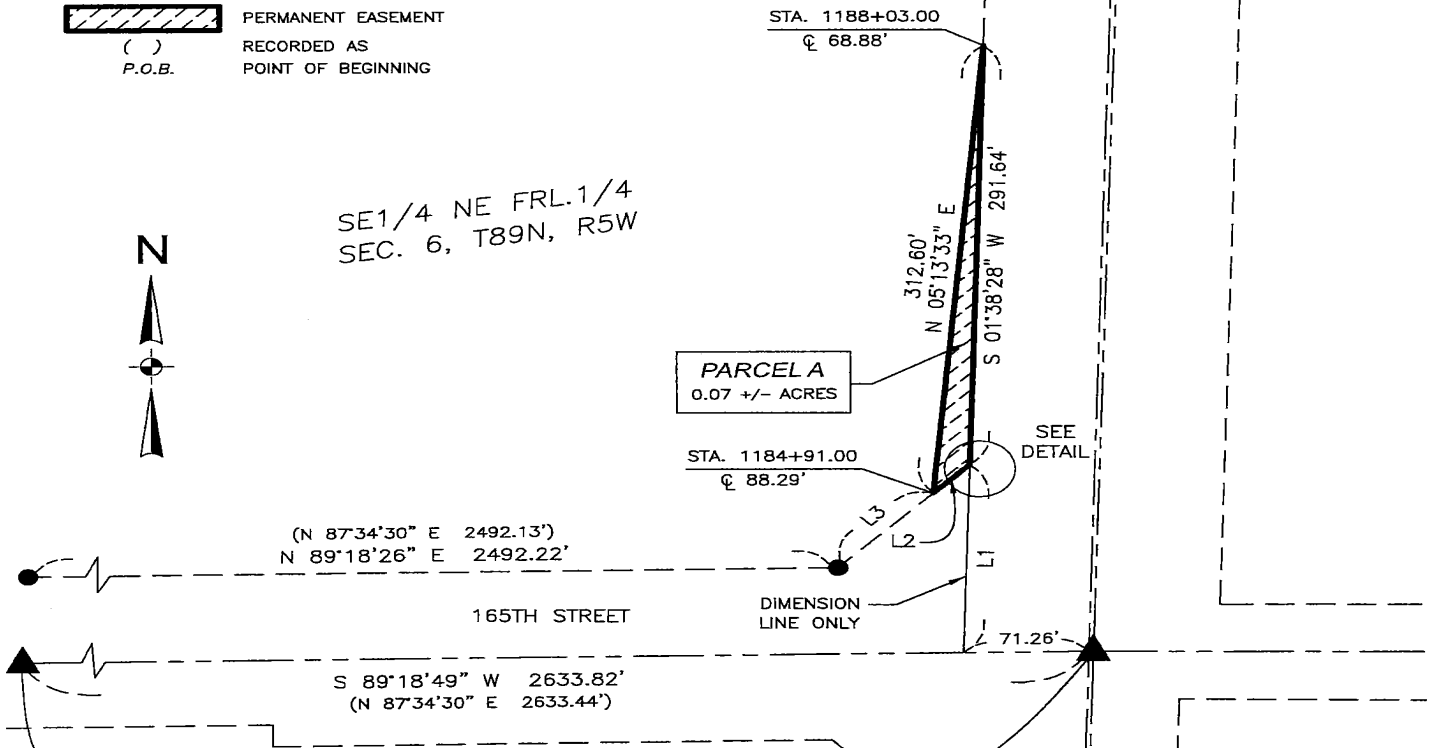


LEGEND

- FD. 1/2" IRON ROD W/ ORANGE CAP #8419
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- () RECORDED AS P.O.B.
- P.O.B. POINT OF BEGINNING



SE1/4 NE FRL. 1/4
SEC. 6, T89N, R5W

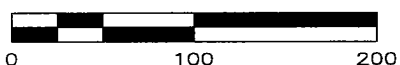


CENTER OF SECTION
SEC. 6, T89N, R5W
FD. CUT X IN CONCRETE

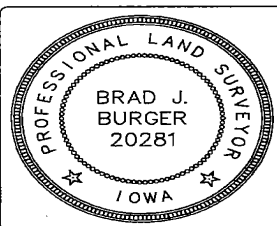
E1/4 CORNER
SEC. 6, T89N, R5W
FD. CUT X IN CONCRETE

IOWA HIGHWAY #13
☉ PER PROJECT NO.
NHSN-013-2(43)--2R-28
☉ BEARING: N 01°40'00" E

SCALE: 1" = 100'



DATE DRAWN: 8/12/2022
DATE REVISED: 5/31/2023



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 5/31/2023
 BRAD J. BURGER LICENSE NO. 20281 DATE
 My license renewal date is December 31, 2024
 Pages or sheets covered by this seal: This page only

Iowa Department of Transportation

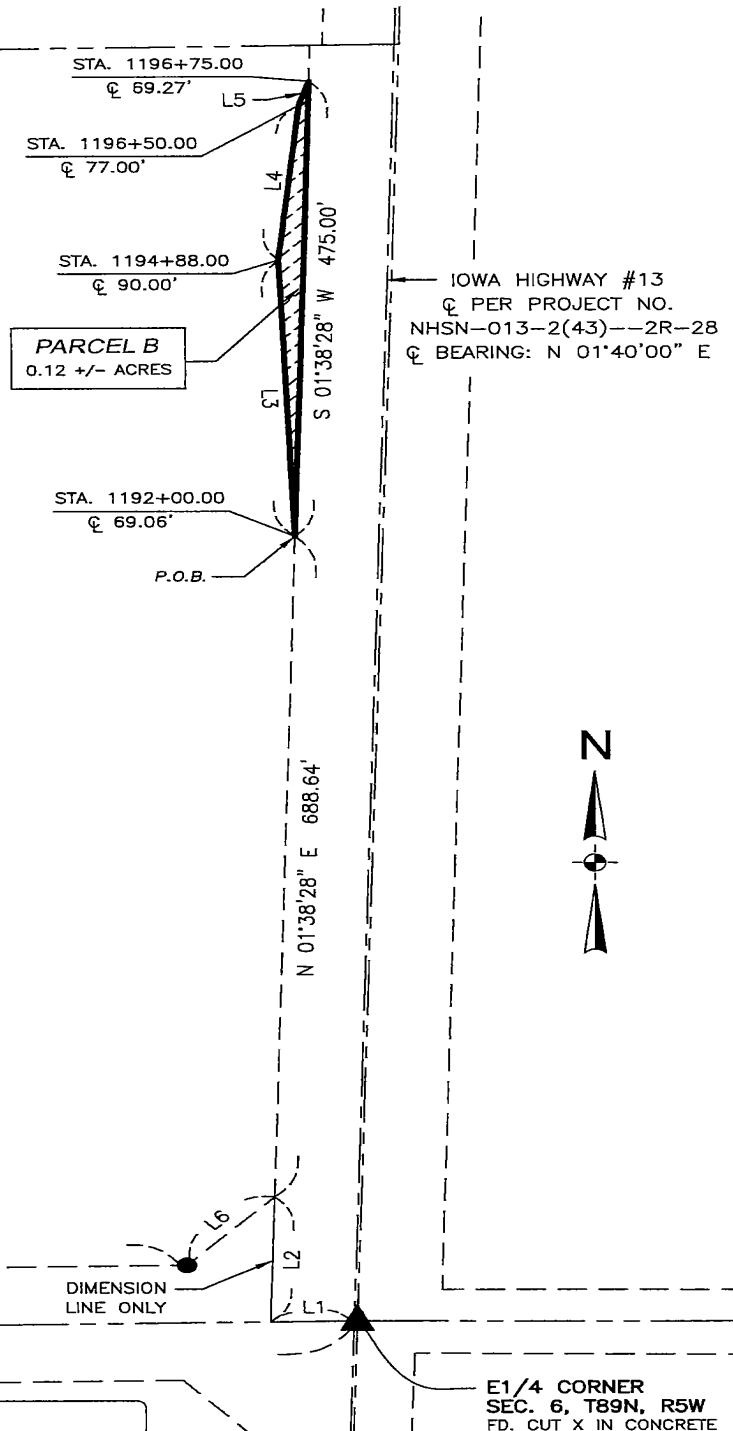
ACQUISITION PLAT
EXHIBIT "A2 OF 2"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 31
 SECTION 6 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.12 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____

LINE	BEARING	DISTANCE
L1	S 89°18'49" W	71.26'
L2	N 01°38'28" E	130.64'
L3	N 02°29'32" W	288.76'
L4	N 06°15'17" E	162.52'
L5	N 18°51'01" E	26.17'
L6	S 45°29'06" W (N 43°45'10" E)	101.73'

SE1/4 NE FRL.1/4
SEC. 6, T89N, R5W



LEGEND

- FD. 1/2" IRON ROD W/ ORANGE CAP #8419
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- () RECORDED AS
- P.O.B. POINT OF BEGINNING

CENTER OF SECTION
SEC. 6, T89N, R5W
FD. CUT X IN CONCRETE

(N 87°34'30" E 2492.13')
N 89°18'26" E 2492.22'

165TH STREET

S 89°18'49" W 2633.82'
(N 87°34'30" E 2633.44')

DIMENSION LINE ONLY

E1/4 CORNER
SEC. 6, T89N, R5W
FD. CUT X IN CONCRETE

DATE DRAWN: 8/12/2022
DATE REVISED: 10/10/2022 AND 5/31/2023

SCALE: 1" = 150'



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 5/31/2023
 BRAD J. BURGER LICENSE NO. 20281 DATE
 My license renewal date is December 31, 2024

Pages or sheets covered by this seal: This page only