

Recorded: 10/5/2023 at 8:21:39.0 AM  
County Recording Fee: \$42.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$45.00  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2023 PG: 2498



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 South one-half of the Northeast Quarter, the North one-half of the Southeast Quarter, the Northeast Quarter of the Southwest Quarter, and the East one-half of the Southeast Quarter of the Northwest Quarter, all in Section 7, Township 90 North, Range 5 West of the 5<sup>th</sup> P.M., Except Parcel B being part of the Northeast Quarter of the Southeast Quarter of Section 7, Township 90 North, Range 5 West of the 5<sup>th</sup> P.M.

The South one-half of the Southeast Quarter, Section 7, Township 90 North, Range 5 West of the 5<sup>th</sup> P.M., except as described in Book 91, Page 135, Recorder's Office, Delaware County, Iowa, which exception contains 4.91 A, more or less

Beginning 439 feet North of the Southeast corner of the South one-half of the Southeast Quarter of Section 7, Township 90 North, Range 5 West of the 5<sup>th</sup> P.M., thence West 326 feet, thence North at a right angle 513 ½ feet, thence East at a right angle 326 feet to the East line of said Section 7, thence South 513½ feet to the place of beginning.

STATE OF Colorado, COUNTY OF Douglas, ss:

We, Robert G. Barr and Elaine M. Barr, being first duly sworn and under oath, state of our personal knowledge that:

1. We are the trustees under the BARR LIVING TRUST, to which the above described real estate was conveyed to the trustees by ROBERT G. BARR and ELAINE M. BARR, pursuant to an instrument recorded in the Delaware County Recorder's Office on April 18, 2019, in Book 2019, Page 843.

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:

### Parcel A

A parcel of land located in the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-1 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the East Quarter (E¼) corner of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa; thence South 89° 56' 54" West 39.94 feet along

the South line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE¼) of said Section Seven (7) 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 Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) South 89° 56' 54" West 22.62 feet; thence North 06° 12' 24" East 16.46 feet; thence North 06° 42' 34" West 190.39 feet; thence North 15° 52' 17" East 103.85 feet; thence North 00° 59' 55" West 140.03 feet; thence North 05° 11' 55" East 115.43 feet; thence North 05° 06' 26" West 182.79 feet; thence North 05° 59' 14" East 119.60 feet; thence North 00° 31' 37" West 454.69 feet to the North line of said Southeast Quarter (SE¼) of the Northeast Quarter (NE¼); thence North 89° 46' 21" East 9.05 feet along the North line of said Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) to said existing Westerly right of way line of Iowa Highway 13; thence South 00° 14' 37" East 1316.03 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.45 acres more or less.

**Note:** The East line of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa is assumed to bear North 00° 08' 57" East.

**AND**

**Parcel B**

A parcel of land located in the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-2 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the East Quarter (E¼) corner of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa; thence South 89° 56' 54" West 39.94 feet along the North line of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section Seven (7) to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 00° 14' 37" East 334.93 feet along said existing Westerly right of way line to the North line of Parcel B as recorded in Book 2001, Page 439 in the office of the Delaware County Recorder; thence North 89° 53' 19" West 22.67 feet along the North line of said Parcel B; thence North 07° 14' 17" West 161.59 feet; thence North 06° 12' 24" East 175.59 feet to the North line of said Northeast Quarter (NE¼) of the Southeast Quarter (SE¼); thence North 89° 56' 54" East 22.62 feet along the North line of said Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) to the Point of Beginning, containing 0.25 acres more or less.

**AND**

**Parcel C**

A parcel of land located in the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-2 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the East Quarter (E $\frac{1}{4}$ ) corner of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa; thence South 00° 06' 56" West 1044.71 feet along the East line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Seven (7) to the Southeast corner of Parcel B as recorded in Book 2001, Page 439 in the office of the Delaware County Recorder; thence North 89° 53' 02" West 26.85 feet along the South line of said Parcel B to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 00° 27' 03" West 264.62 feet along said existing Westerly right of way line to the South line of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ); thence South 89° 41' 25" West 46.04 feet along the South line of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ); thence North 00° 13' 44" East 264.96 feet to the South line of said Parcel B; thence South 89° 53' 02" East 47.07 feet along the South line of said Parcel B to the Point of Beginning, containing 0.28 acres more or less.

**Note:** The East line of the Northeast Quarter (NE  $\frac{1}{4}$ ) of the Southeast Quarter (SE  $\frac{1}{4}$ ) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa is assumed to bear South 00° 06' 56" West.

**AND**

**Parcel D**

A parcel of land located in the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-3 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southeast corner of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa; thence South 89° 57' 48" West 61.15 feet along the South line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Seven (7) 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 Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) South 89° 57' 48" West 28.17 feet; thence North 10° 48' 06" East 60.28 feet; thence North 05° 28' 51" West 249.35 feet; thence North 12° 53' 04" East 135.19 feet to the South line of a parcel of land described by warranty deed recorded in Book 135, Page 61 in the office of the Delaware County

Recorder; thence South 89° 53' 04" East 27.57 feet along the South line of said parcel of land described by warranty deed recorded in Book 135, Page 61 to the existing Westerly right of way line of Iowa Highway 13; thence South 10° 37' 00" West 1.32 feet along said existing Westerly right of way line; thence continuing along said existing Westerly right of way line South 02° 11' 41" West 438.15 feet to the Point of Beginning, containing 0.36 acres more or less.

**AND**

**Parcel E**

A parcel of land located in the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-3 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the East Quarter (E $\frac{1}{4}$ ) corner of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa; thence South 00° 06' 56" West 1309.11 feet along the East line of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Seven (7) to the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Seven (7); thence South 89° 41' 25" West 28.40 feet along the North line of said Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 00° 27' 03" West 338.21 feet along said existing Westerly right of way line to the North line of a parcel of land described by warranty deed recorded in Book 135, Page 61 in the Office of the Delaware County Recorder; thence North 89° 53' 04" West 63.73 feet along the North line of said parcel of land described by warranty deed recorded in Book 135, Page 61; thence North 10° 36' 16" East 177.68 feet; thence North 05° 11' 30" West 137.62 feet; thence North 00° 13' 44" East 26.13 feet to the North line of said Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ); thence North 89° 41' 25" East 46.04 feet along the North line of said Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) to the Point of Beginning, containing 0.34 acres more or less.

**Note:** The East line of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Seven (7), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa is assumed to bear South 00° 06' 56" 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 is alive.

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

  
\_\_\_\_\_  
ROBERT G. BARR, Affiant (Sign in Ink)

  
\_\_\_\_\_  
ELAINE M. BARR, Affiant (Sign in Ink)

Subscribed and sworn to before me by Robert G. Barr and Elaine M. Barr on this 29<sup>th</sup>  
day of June, 2023.

**JAIMIE FLORES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20224037795  
MY COMMISSION EXPIRES 09/27/2026**

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

(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

ACQUISITION PLAT  
EXHIBIT "A-1 OF 3"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 56  
 SECTION 7 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±, EASE 0.45 AC ±, EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM BARR LIVING TRUST

PARCEL 56 ACREAGE SUMMARY TABLE SECTION 7, T90N, R5W	
LOCATION	NEW R.O.W.
THE SE 1/4 NE 1/4	0.45 AC. ±
TOTAL	0.45 AC. ±

NE CORNER  
SECTION 7, T90N, R5W  
FOUND PK NAIL PER  
CORNER CERTIFICATE  
BOOK 2020, PAGE 4680

P.O.T. 1474+95.88

NORTH LINE SE 1/4 NE 1/4  
SECTION 7, T90N, R5W

IA 13 CENTERLINE DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28		
COURSE	BEARING	DISTANCE
PT 1428+50.35		
TD	N 00° 13' 44" E	4645.53'
POT 1474+95.88		

COURSE	BEARING	DISTANCE
A	S 89° 56' 54" W	39.94'
B	S 89° 56' 54" W	22.62'
C	N 06° 12' 24" E	16.46'
D	N 06° 42' 34" W	190.39'
E	N 15° 52' 17" E	103.85'
F	N 00° 59' 55" W	140.03'
G	N 05° 11' 55" E	115.43'
H	N 05° 06' 26" W	182.79'
I	N 05° 59' 14" E	119.60'
J	N 00° 31' 37" W	454.69'
K	N 89° 46' 21" E	9.05'
L	S 00° 14' 37" E	1316.03'

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
T2053	1462+10.65	75.00'
T2123	1449+11.00	76.00'
T2124	1451+00.00	99.00'
T2125	1452+00.00	71.00'
T2126	1453+40.00	74.00'
T2127	1454+55.00	64.00'
T2128	1456+37.00	81.00'
T2129	1457+56.00	69.00'
T2130	1448+94.63	77.71'

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

SE 1/4 NE 1/4  
SECTION 7, T90N, R5W

PARCEL "A"  
0.45 ACRES ±

E 1/4 CORNER  
TO NE CORNER  
N 00° 08' 57" E  
2597.18'

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

EAST 1/4 CORNER  
SECTION 7, T90N, R5W  
FOUND 1/2" SMOOTH IRON ROD  
PER CORNER CERTIFICATE  
BOOK 2020, PAGE 4680

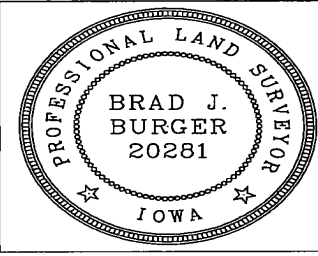
SOUTH LINE SE 1/4 NE 1/4  
SECTION 7, T90N, R5W

EXISTING WESTERLY  
ROW LINE IA 13

PT 1428+50.35

1" = 200'

DATE DRAWN: 6/05/2022 DCF

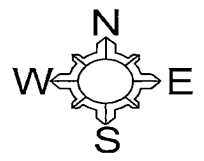


I hereby certify that this land surveying document was prepared and related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

*Brad J. Burger* 8/16/2022  
 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

**LEGEND**

- R.O.W. LINE
- - - SECTION LINE AND OR 1/4 SECTION LINE
- \*-x-x- FENCE LINE
- ( ) RECORDED AS
- P.O.B. POINT OF BEGINNING
- PERMANENT EASEMENT



Iowa Department of Transportation

ACQUISITION PLAT  
EXHIBIT "A-2 OF 3"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 56  
 SECTION 7 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±, EASE 0.53 AC ±, EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM BARR LIVING TRUST

PARCEL 56 ACREAGE SUMMARY TABLE	
SECTION 7, T90N, R5W	
LOCATION	NEW R.O.W.
THE NE 1/4 SE 1/4	0.53 AC. ±
TOTAL	0.53 AC. ±

COURSE	BEARING	DISTANCE
A	S 89° 56' 54" W	39.94'
B	S 00° 14' 37" E	334.93'
C	N 89° 53' 19" W	22.67'
D	N 07° 14' 17" W	161.59'
E	N 06° 12' 24" E	175.59'
F	N 89° 56' 54" E	22.62'
G	S 00° 06' 56" W	1044.71'
H	N 89° 53' 02" W	26.85'
I	S 00° 27' 03" W	264.62'
J	S 89° 41' 25" W	46.04'
K	N 00° 13' 44" E	264.96'
L	S 89° 53' 02" E	47.07'

NORTH LINE NE 1/4 SE 1/4 SECTION 7, T90N, R5W

NORTH LINE PARCEL "B"

EAST 1/4 CORNER SECTION 7, T90N, R5W FOUND 1/2" SMOOTH IRON ROD PER CORNER CERTIFICATE BOOK 2020, PAGE 4680

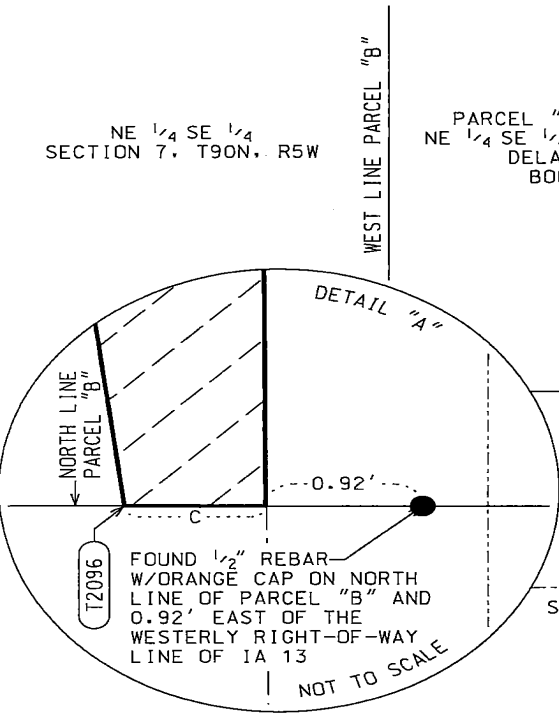
EAST LINE NE 1/4 SE 1/4 SECTION 7, T90N, R5W

SE CORNER TO E 1/4 CORNER BEARING/DISTANCE N 00° 06' 56" E, 2600.03' (2600.08')

STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
T2093	1438+50.09	87.00'
T2096	1445+59.78	75.00'
T2122	1447+20.00	96.00'
T2130	1448+94.63	77.71'
T2133	1435+85.13	87.00'

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

IA 13 C DATA FOR PROJECT NO. NHSN-013-2(43)--2R-28	
P.I. STATION	1425+87.49
DELTA	02° 00' 30" (LT)
RADIUS	15,000.00'
DEGREE	00° 22' 55"
TANGENT	262.92'
LENGTH	525.78'
P.C. STATION	1423+24.57
BEARING BACK	S 02° 14' 14" W
P.T. STATION	1428+50.35
BEARING AHEAD	N 00° 13' 44" E



SOUTH LINE PARCEL "B"

PARCEL "C" 0.28 ACRES ±

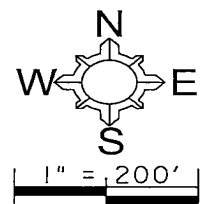
SOUTH LINE NE 1/4 SE 1/4 SECTION 7, T90N, R5W

SOUTHEAST CORNER SECTION 7, T90N, R5W FOUND CUT "X" PER CORNER CERTIFICATE BOOK 2020, PAGE 4680

EXISTING WESTERLY ROW LINE IA 13

LEGEND

- R.O.W. LINE
- - - SECTION LINE AND OR 1/4 1/4 SECTION LINE
- FOUND 1/2" REBAR W/ND CAP UNLESS OTHERWISE NOTED
- ( ) RECORDED AS
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT



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* 8/18/2022  
 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

# Iowa Department of Transportation

ACQUISITION PLAT  
EXHIBIT "A-3 OF 3"

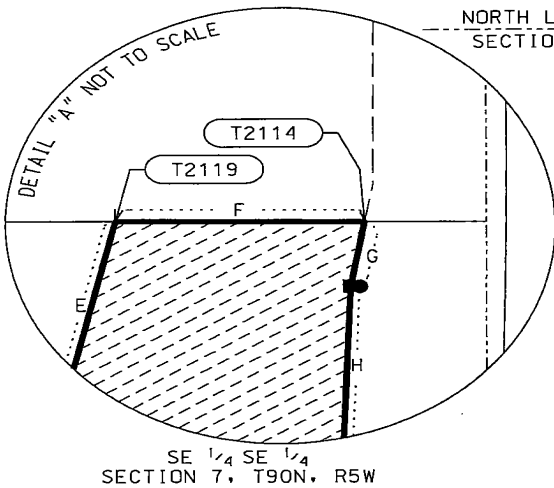


COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 56  
 SECTION 7 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±, EASE 0.70 AC ±, EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM BARR LIVING TRUST

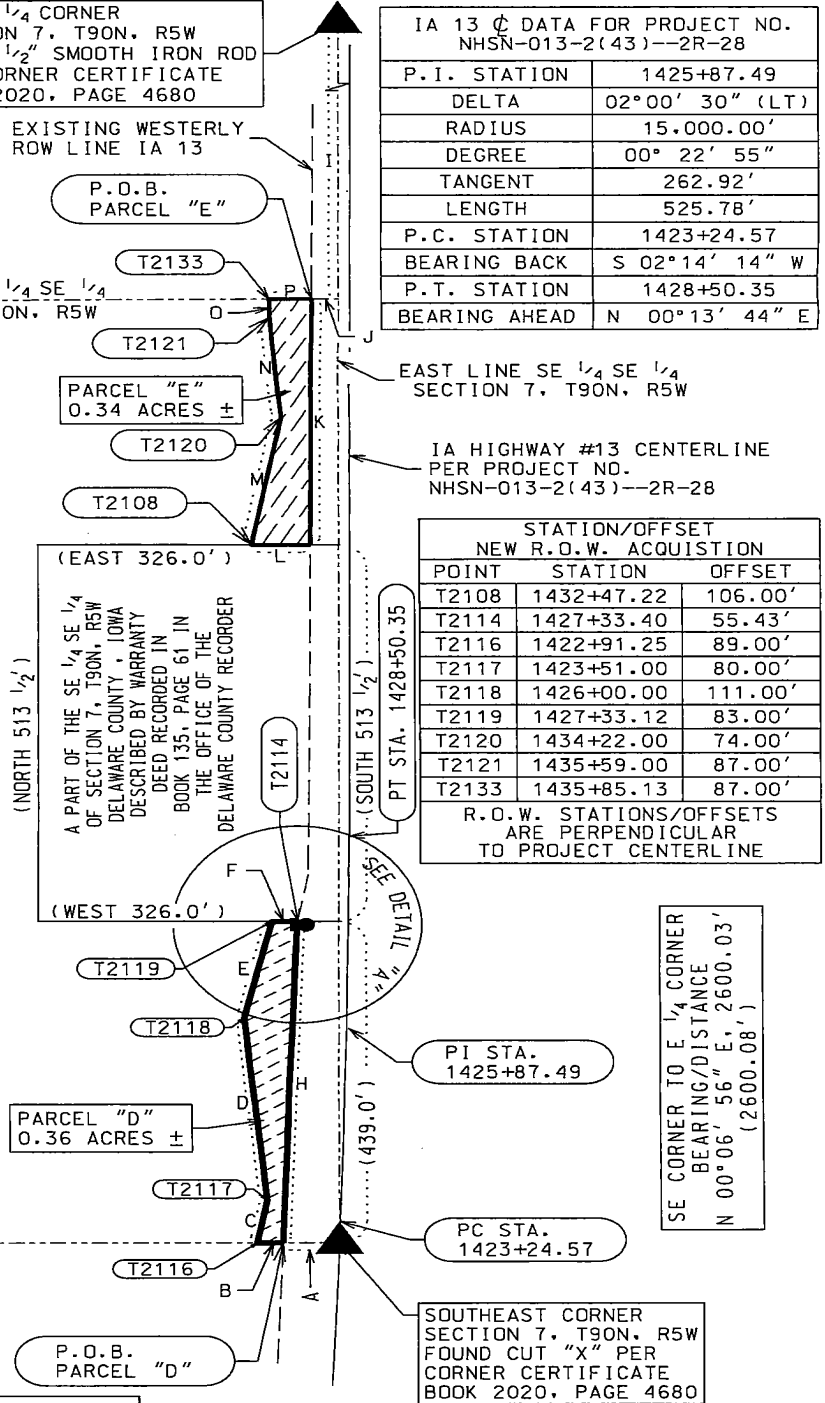
LOCATION	NEW R.O.W.
THE SE 1/4 SE 1/4	0.70 AC. ±
TOTAL	0.70 AC. ±

EAST 1/4 CORNER  
SECTION 7, T90N, R5W  
FOUND 1/2" SMOOTH IRON ROD  
PER CORNER CERTIFICATE  
BOOK 2020, PAGE 4680

P.I. STATION	1425+87.49
DELTA	02°00' 30" (LT)
RADIUS	15.000.00'
DEGREE	00° 22' 55"
TANGENT	262.92'
LENGTH	525.78'
P.C. STATION	1423+24.57
BEARING BACK	S 02°14' 14" W
P.T. STATION	1428+50.35
BEARING AHEAD	N 00°13' 44" E



COURSE	BEARING	DISTANCE
A	S 89° 57' 48" W	61.15'
B	S 89° 57' 48" W	28.17'
C	N 10° 48' 06" E	60.28'
D	N 05° 28' 51" W	249.35'
E	N 12° 53' 04" E	135.19'
F	S 89° 53' 04" E	27.57'
G	S 10° 37' 00" W	1.32'
H	S 02° 11' 41" W	438.15'
I	S 00° 06' 56" W	1309.11'
J	S 89° 41' 25" W	28.40'
K	S 00° 27' 03" W	338.21'
L	N 89° 53' 04" W	63.73'
M	N 10° 36' 16" E	177.68'
N	N 05° 11' 30" W	137.62'
O	N 00° 13' 44" E	26.13'
P	N 89° 41' 25" E	46.04'



SOUTH LINE SE 1/4 SE 1/4 SECTION 7, T90N, R5W

REVISION  
DATE DRAWN: 11/06/2022 DCF



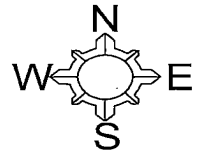
I hereby certify that this land surveying document was prepared and related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

*Brad J. Burger* 11/16/2022  
 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

### LEGEND

- R.O.W. LINE
- - - SECTION LINE AND OR 1/4 SECTION LINE
- ROW RAIL
- ( ) RECORDED AS
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT



1" = 200'