

Recorded: 11/29/2023 at 12:55:00.0 PM
County Recording Fee: \$27.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$30.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2988



Prepared by & Return To: Lisa Obrecht, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1813

INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: The North $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 29, and the North $\frac{1}{2}$ of the NE $\frac{1}{4}$; and the East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 30, all in Township 90 North, Range 5, West of the 5th P.M.

EXCEPT Parcel A, part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 90 North, Range 5, West of the 5th P.M., Delaware County, Iowa, per plat recorded in Book 2005, Page 1863,

ALSO EXCEPT the East 438 feet of the North 550 feet of the NE $\frac{1}{4}$ of Section 30, Township 90 North, Range 5, West of the 5th P.M.

STATE OF Iowa, COUNTY OF Delaware, ss:

We, Sandra L. Swanson and Larry A. Swanson, being first duly sworn and under oath, state of our personal knowledge that:

1. We are the trustees under the **SANDRA L. SWANSON LIVING TRUST DATED NOVEMBER 30, 2011**, to which the above described real estate was conveyed to the trustees by Larry A. Swanson and Sandra L. Swanson, pursuant to an instrument recorded in the Delaware County Recorder's Office on February 29, 2012, in Book 2012, Page 660.

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:

THE EASEMENT GRANTED FOR HIGHWAY PURPOSES IS TO LAND DESCRIBED AS FOLLOWS:

Parcel A

A parcel of land located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, 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 Southwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence North 85° 26' 36" East 66.92 feet along the South line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section Twenty-nine (29) to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 01° 18' 21" East 929.15

feet along said existing Easterly right of way line; thence continuing along said existing Easterly right of way line North 01° 46' 19" East 394.29 feet to the North line of said NW¼ of the NW¼; thence North 86° 26' 22" East 14.08 feet along the North line of said NW¼ of the NW¼; thence South 04° 57' 00" East 338.71 feet; thence South 07° 05' 38" West 422.49 feet; thence South 00° 37' 58" West 565.77 feet to the South line of said NW¼ of the NW¼; thence South 85° 26' 36" West 18.28 feet along the South line of said NW¼ of the NW¼ to the Point of Beginning, containing 0.77 acres, more or less.

Note: The West line of the NW¼ of the NW¼ of Section Twenty-nine (29), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear North 01° 06' 30" East.

AND

Parcel B

A parcel of land located in the NE¼ of the NE¼ of Section Thirty (30), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa, 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 Southeast corner of the NE¼ of the NE¼ of Section Thirty (30), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence South 89° 18' 11" West 53.97 feet along the South line of the NE¼ of the NE¼ of said Section Thirty (30) 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 NE¼ of the NE¼ South 89° 18' 11" West 13.32 feet; thence North 03° 58' 41" West 129.43 feet; thence North 01° 41' 16" East 331.01 feet; thence North 07° 29' 12" East 217.25 feet to said existing Westerly right of way line; thence South 01° 20' 14" West 675.40 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.30 acres, more or less.

Note: The East line of the NE¼ of the NE¼ of Section Thirty (30), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear North 01° 06' 30" 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.

Sandra L. Swanson (Sign in Ink)
Sandra L. Swanson, Affiant

Larry A. Swanson (Sign in Ink)
Larry A. Swanson, Affiant

Subscribed and sworn to before me by Sandra L. Swanson and Larry A. Swanson on this 22nd day of August, 2023.



[Signature] (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

ACQUISITION PLAT
EXHIBIT "A-1 OF 2"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 43
 SECTION 29 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.77 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM Sandra L. Swanson Living Trust

LOCATION	NEW R.O.W.
NW 1/4 NW 1/4	0.77 AC. ±
TOTAL	0.77 AC. ±

NORTHWEST CORNER
SECTION 29, T90N, R5W
FOUND PK NAIL PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4685

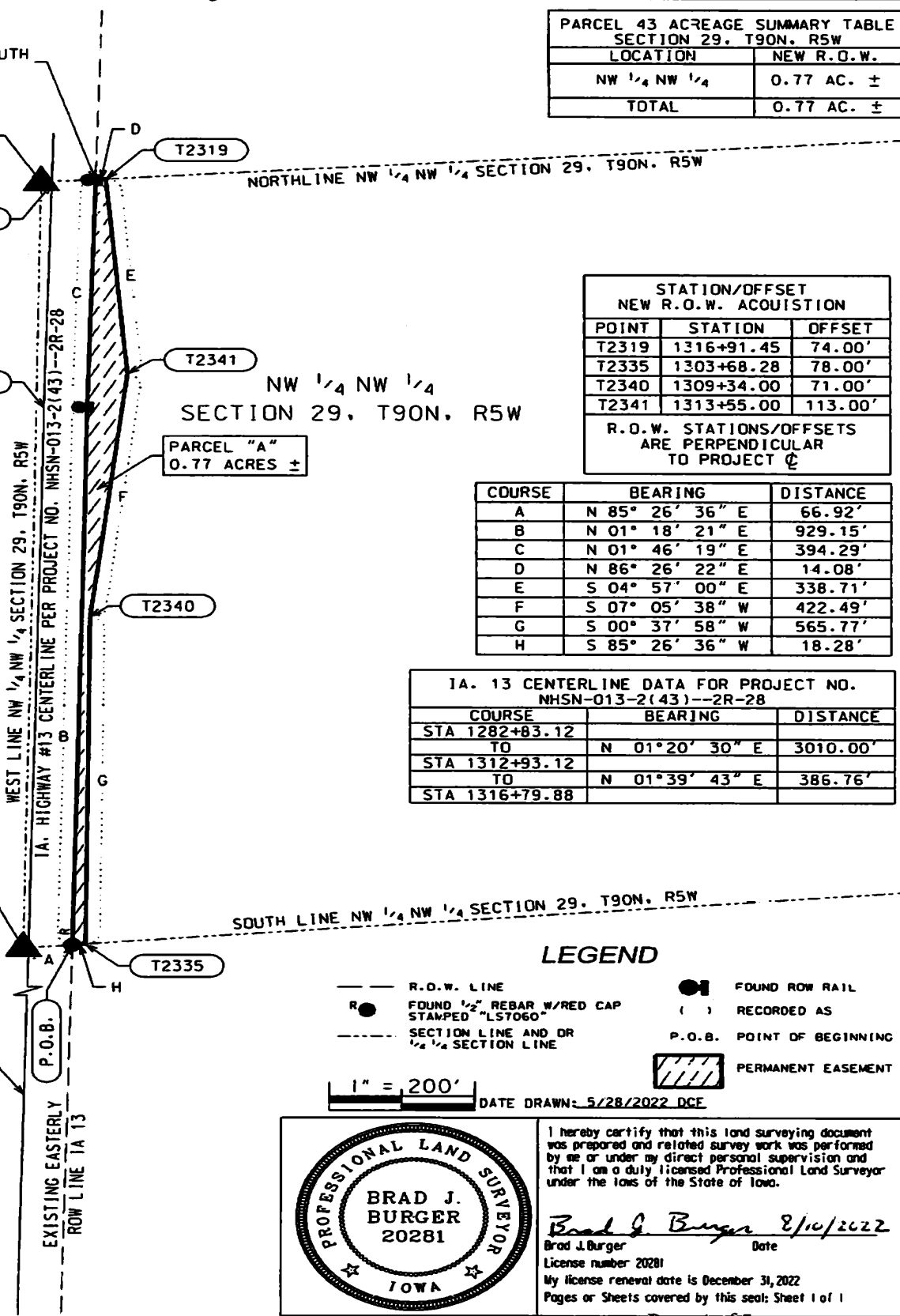
P.O.T. STA 1316+79.88

P.I. STA 1312+93.12

SW CORNER NW 1/4 NW 1/4
TO NORTHWEST CORNER
N 01°06' 30" E
1323.94' (1323.87')

SW CORNER NW 1/4 NW 1/4
SECTION 29, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4685

P.I. STA 1282+83.12



POINT	STATION	OFFSET
T2319	1316+91.45	74.00'
T2335	1303+68.28	78.00'
T2340	1309+34.00	71.00'
T2341	1313+55.00	113.00'

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

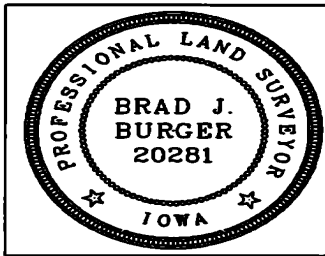
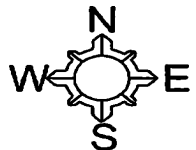
COURSE	BEARING	DISTANCE
A	N 85° 26' 36" E	66.92'
B	N 01° 18' 21" E	929.15'
C	N 01° 46' 19" E	394.29'
D	N 86° 26' 22" E	14.08'
E	S 04° 57' 00" E	338.71'
F	S 07° 05' 38" W	422.49'
G	S 00° 37' 58" W	565.77'
H	S 85° 26' 36" W	18.28'

COURSE	BEARING	DISTANCE
STA 1282+83.12		
TO	N 01°20' 30" E	3010.00'
STA 1312+93.12		
TO	N 01°39' 43" E	386.76'
STA 1316+79.88		

LEGEND

- R.O.W. LINE
- FOUND 1/2" REBAR W/RED CAP
- STAMPED "LS7060"
- SECTION LINE AND OR 1/4 SECTION LINE
- FOUND ROW RAIL
- () RECORDED AS
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT

1" = 200' DATE DRAWN: 5/28/2022 DCE



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 8/10/2022
 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-2 OF 2"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 43
 SECTION 30 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 0.30 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM Sandra L. Swanson Living Trust

LOCATION	NEW R.O.W.
NE 1/4 NE 1/4	0.30 AC. ±
TOTAL	0.30 AC. ±

NORTHEAST CORNER
SECTION 30, T90N, R5W
FOUND PK NAIL PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4686

P.O.T. STA 1316+79.88

POINT	STATION	OFFSET
T2336	1303+57.13	74.00'
T2337	1310+33.00	60.75'
T2338	1304+86.00	86.00'
T2339	1308+17.00	84.00'

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

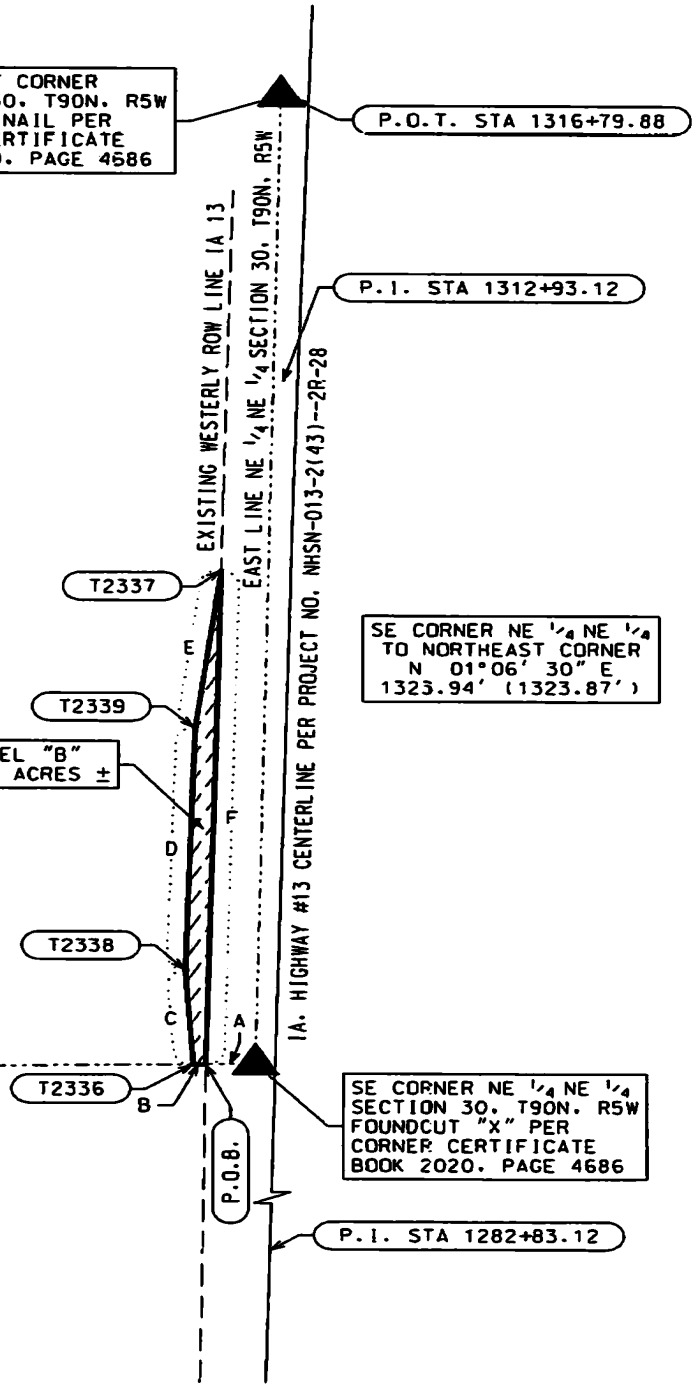
P.I. STA 1312+93.12

PART OF THE NE 1/4 NE 1/4
SECTION 30, T90N, R5W

COURSE	BEARING	DISTANCE
A	S 89° 18' 11" W	53.97'
B	S 89° 18' 11" W	13.32'
C	N 03° 58' 41" W	129.43'
D	N 01° 41' 16" E	331.01'
E	N 07° 29' 12" E	217.25'
F	S 01° 20' 14" W	675.40'

SE CORNER NE 1/4 NE 1/4
TO NORTHEAST CORNER
N 01° 06' 30" E
1323.94' (1323.87')

PARCEL "B"
0.30 ACRES ±



SE CORNER NE 1/4 NE 1/4
SECTION 30, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4686

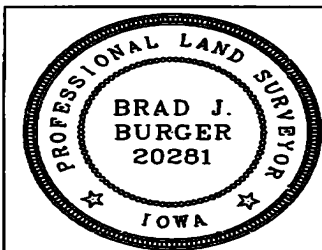
P.I. STA 1282+83.12

SOUTH LINE NE 1/4 NE 1/4 SECTION 30, T90N, R5W

COURSE	BEARING	DISTANCE
STA 1282+83.12 TO	N 01° 20' 30" E	3010.00'
STA 1312+93.12 TO	N 01° 39' 43" E	386.76'

1" = 200'

DATE DRAWN: 5/28/2022 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 8/10/2022
 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
- FOUND 1/2" REBAR W/NO CAP UNLESS OTHERWISE NOTED
- - - SECTION LINE AND OR 1/4 1/4 SECTION LINE
- () RECORDED AS
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT

