



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

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA)
) ss.
COUNTY OF STORY)

RE: The East Fourteen rods and nine feet of the South Eighteen rods of the North Fifty Eight rods of the Northwest Quarter of the Southwest Quarter of Section 17, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa ("Property").

I, Allyssa Myers, being first duly sworn upon oath, depose and say:

That I am a Title and Closing Agent in the Right of Way Bureau of the Transportation Division of the Iowa Department of Transportation and, as such, have access to all right of way acquisition and disposal records of said Transportation Division.

That the Iowa Department of Transportation, acting for the STATE OF IOWA, acquired an easement for highway purposes from Natalie C. Felton, surviving spouse of David J. Felton, by Easement for Public Highway recorded on September 19, 2023, in Book 2023, Page 2328 for the following described land;

A parcel of land located in 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 (5th) 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 (5th) Principal Meridian, Delaware County, Iowa; thence South 02° 11' 18" East 963.82 feet along the East line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section Seventeen (17) to the Northeast corner of the South 22 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4); thence South 88° 18' 21" West 64.05 feet along the North line of the South 22 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along the North line of the South 22 rods of said Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) South 88° 18' 21" West 18.89 feet; thence

North 01° 32' 42" West 303.77 feet to the North line of a parcel of land described by warranty deed recorded in Book 2002, Page 4469 in the Office of the Delaware County Recorder; thence North 88° 17' 40" East 16.84 feet

along the North line of said parcel of land to said existing Westerly right of way line; thence South 01° 55' 53" East 303.78 feet along said existing Westerly right of way line to the Point of Beginning, containing 0.12 acres more or less.

Note: The East 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 (5th) Principal Meridian, Delaware County, Iowa is assumed to bear South 02° 11' 18" East.

That in connection with the State's easement acquisition, I prepared and recorded an Affidavit of Surviving Spouse, signed by Natalie C. Felton recorded on September 19, 2023 in the office of the Delaware County Recorder in Book 2023, Page 2340 as it pertained to the Property ("Affidavit").

That paragraph 3 of said Affidavit contains a scrivener's error in that said paragraph erroneously states: "Title was conveyed to the surviving spouse and the decedent by Warranty Deed-Joint Tenancy recorded in the Delaware County Recorder's Office on November 25, 2022 as Book 2002, Page 4469."

That this affidavit is filed pursuant to Iowa Code Section 558.8, and the intent is to place of public record that paragraph 3 of said Affidavit should state: "Title was conveyed to the surviving spouse and the decedent by Warranty Deed-Joint Tenancy recorded in the Delaware County Recorder's Office on **November 26, 2002** in Book 2002, Page 4469."

That I am signing this affidavit on behalf of the State of Iowa by authority of Commission Order No. 71-298 dated March 3, 1971, and Staff Action No. S-96-904 dated February 1, 1996.

That all of the foregoing statements are true and correct as I verily believe.

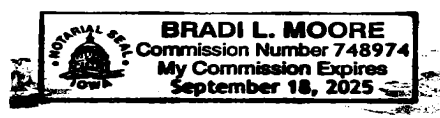
Dated this 14th day of May, 2024.

Allyssa Myers
Allyssa Myers, Title and Closing Agent
Right of Way Bureau
Transportation Division
Iowa Department of Transportation

Subscribed and sworn to (or affirmed) before me this 14th day of May, 2024, by Allyssa Myers, Title and Closing Agent, Right of Way Bureau, Transportation Division of the Iowa Department of Transportation.

Bradi L. Moore (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE)



Approved as to form:

By Shean Fletchall 05/14/2024
SHEAN FLETCHALL Date
Transportation Section Chief
Assistant Attorney General