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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by & Return to: ^(f) Steven E. Carr, 117 S. Franklin St., PO Box 333, Manchester, IA 52057 (563) 927-4164

AFFIDAVIT

RE: Lot Four (4) and that part of Lot Twenty Eight (28) described as commencing at the Northernmost corner of said Lot Four (4) and running thence Westerly along the Northerly line of Lot Four (4) one hundred twenty five (125.0) feet, thence Northerly at right angles to preceding line thirty (30.0) feet, thence Easterly at right angles to preceding line one hundred twenty five (125.0) feet, thence Southerly at right angles to preceding line thirty (30.0) feet to the point of beginning, in Stone's First Addition to Delaware County, Iowa, according to plat recorded in Book 2 Plats, Page 90; same being a part of the South one-half (S½) of the Northwest Quarter (NW¼) of Section Twenty Five (25), Township Eighty Eight (88) North, Range Five (5), West of the Fifth P.M.

STATE OF IOWA, DELAWARE COUNTY, ss:

I, Steven E. Carr, being first duly sworn (or affirmed) under oath depose and state that I prepared a Warranty Deed recorded October 24, 2013 in Book 2013, Page 3366 whereby the above described real estate was conveyed to Charles J. Wilgenbusch and Paula K. Wilgenbusch, husband and wife as to an undivided one-half interest, and Leon Wilgenbusch as to an undivided one-half interest. Said deed not include easement language that had appeared in prior deeds conveying title to the premises. This was not omitted with the intent of voiding this easement and it was the intention of the grantor that "use of the roadway from the public highway to said subdivision and the use of the roadway as traveled or marked in Lots Twenty-seven (27) and Twenty-Eight (28) of said subdivision, for ingress and egress to said tract sold hereby all in common with others rightfully using same" was to remain in effect as to the above-described premises.

Dated June 3, 2024.

SECa
Steven E. Carr, Affiant

Signed and sworn to (or affirmed) before me on June 3, 2024, by
Steven E. Carr.

Melinda S. Wilson
Signature of Notary Public

