AFFIDAVIT

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

The undersigned states as follows:

1. That he is the attorney for Richard J. Foust and Dianne K. Foust.

2. That the attached notice signed by Richard J. Foust and Dianne K. Foust was served on Donald V. Propst and Dolores R. Propst on November 19, 1992 in Delaware County, Iowa.

Dated this 4 day of December, 1992.

E. Michael Carr

Subscribed and sworn to before me by E. Michael Carr this 4 day of December, 1992.

Carol A. Cooper

Carol A. Cooper, Notary Public in and for the State of Iowa.

Iowa

FILE No. 242-1726
RECORDING FEE $ 25.00
TRANSFER FEE $

FILED FOR RECORD THE 4 DAY OF Dec, 1992 AT 3:22 O'CLOCK P. M. BOOK 17 PAGE 128

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Aff.

NOTICE

TO: DONALD V. PROPST
DOLORES R. PROPST
KEVIN C. PROPST
CANDY L. PROPST

You and each of you are herewith notified as follows:

1. That the undersigned parties own the real estate described on Attachment 1 hereto.

2. That you own the real estate described on Attachment 2 hereto.

3. That the real estate described on Attachment 1 and Attachment 2 adjoin each other, the west boundary of that shown on Attachment 2 and the portion of the east boundary of that shown on Attachment 1 being the boundary line.

4. That you have placed a fence on the property of the undersigned parties which encroaches approximately 33 feet and you are herewith requested to remove same to your proper boundary which is approximately 33 feet east of its present location.

5. That this notice is given to demand the proper fence line placement on the boundary line and to declare the interruption of any claim you may make, if any by reason of the use of the property of the undersigned as the result of the fence misplacement. You are further notified that it is the intention of the owners to dispute any right you may claim, if any arising from such use or the present misplacement of the fence.

Dated this 16 day of November, 1992.

Richard J. Foust
Richard J. Foust

Dianne K. Foust
Dianne K. Foust

RECEIVED
SHERIFF'S OFFICE
DE... COUNTY, IA
DATE 11-16-92 TIME 10:00am

FIDLAR & CHAMBERS CO. FORM 101H-012

~~In the Iowa District Court, for~~ ~~County~~

Richard J. Foust and Dianne K. Foust

vs

Case Name Donald V. Propst and Dolores R. Propst

Case No. _____

Notice recd. this date November 18, 1992

STATE OF IOWA
Delaware COUNTY } SS

RETURN OF SERVICE:

		Type of Service Code
X	Personal	1
X	Dwelling/Substitute	2
___	Hotel, Boarding/Rooming House	3
___	Corporation/Association	4
___	Official (State, County, City)	5
___	Spouse away from residence	6
___	Other _____	7

I certify that I served a copy of:

- ☐ Petition and Original Notice
- ☐ Modification/Application and Notice
- ☐ Order to Show Cause
- ☐ Order Filed _____
- ☐ Writ _____
- ☒ ~~Other~~ Notice

Served:

				Type Code
Donald V. Propst (NAME)	at 504 E. Prospect St. (ADDRESS) Manchester	on 11/19/92 (DATE)		1
_____	at _____	on _____		
_____	at _____	on _____		
_____	at _____	on _____		
_____	at _____	on _____		
Dolores R. Propst (NAME)	by serving Donald V. Propst (NAME)	at 504 E. (ADDRESS)		2

Prospect St. Manchester on November 19, 1992, (a person residing therein who was then at least 18 years old) ~~or~~ (spouse ~~away from residence~~). [Strike non-applicable part.]

_____ (COMPANY/GOVERNMENT UNIT NAME) by serving _____ (NAME) ☐

_____ its (TITLE), on _____ (DATE), at _____.

NOTES: (Diligent Search, etc.)

Ronald Wilhelm, Sheriff
Delaware County

Fees:
Service $15.00
Mileage 1.00
Copy _____
Total $16.00

Tari Trapp 28-7
Tari Trapp (OFFICIAL TITLE) Deputy

Fees charged to/paid by Atty/~~Party~~:

E. Michael Carr
117 S. Franklin Manchester, IA

NOTE: Copy of Original Notice, if served, must be attached to this form.

ATTACHMENT 1

(FOUST PROPERTY)

Lot 4 of the Plat of Survey of Lux Trust Subdivision of part of Parcel 3 of Hayes Subdivision of Part of the SE¼, SW¼ and of the SW¼, SE¼ of Section 17, and Part of the NW¼ and N½, SW¼ and the W½, NE¼ of Section 20, all of T89N, R5W of the 5th P.M.; and Part of the NE¼, NW¼ of Section 20, T89N, R5W of the 5th P.M., Delaware County, Iowa

ATTACHMENT 2

(PROPST PROPERTY)

That part of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the 5th P.M. described as that part of the following described real estate that lies Northerly of Iowa Highway No. 13 as now located: A strip of land of the uniform width of one hundred (100.0) feet, being fifty (50.0) feet on each side of the centerline of the former Manchester and Oneida Railway, said centerline being described as beginning at Station 84+43½ which is on the South line of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of said Section Twenty (20), thence Northeasterly on a curved line of nineteen hundred ten (1910.0) feet radius, a distance of seven hundred sixty nine and five-tenths (769.5) feet, thence North-easterly three hundred thirty two and five-tenths (332.5) feet to Lindsey Creek Road, except the Southernmost four hundred thirty three (433.0) feet thereof, and also excepting such portion thereof as may lie South of State Highway #13 as now located, subject to highways and easements of record, in Delaware County, Iowa.

242-1726

DELAWARE COUNTY IOWA
FILED

'92 DEC 4 PM 3 22

BOOK 17 PAGE 128
RECORDER

$25.00

E. MICHAEL CARR

TO

WHOM IT MAY CONCERN

✓

E Michael Carr