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Date 5/06/2016 Time 10:14:17AM
Rec Amt $12.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return Document to: Timothy T Schloss, 118 W Mission St, St Pt, IA 52076 (563) 933-2029
Prepared by: Timothy T. Schloss, 118 W. Mission St., Strawberry Pt, IA 52076 (563) 933-2029
Address Tax Statement: Joan Schmidt, 1549 `165th St., Manchester, IA 52057

AFFIDAVIT RE: RELEASE OF SEPTIC SEWER SYSTEM EASEMENT

The undersigned, Kala M. Schnittjer, formerly known as Kayla Olson, and Julian Schnittjer, husband and wife, first being duly sworn on oath deposes and states:

1. That Kala M. Schnittjer is the current owner of real estate described as:

Lot One (1) in the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW ¼) of Section One (1), Township Eighty Nine (89) North, Range Six (6), West of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 5 Plats, Page 149.

2. That Joan Schmidt (f/k/a Joan Kelley) is the owner of the real estate described as

Commencing at the Southeast Corner of Lot One (1) in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section One (1), Township Eighty Nine (89) North, Range Six (6), West of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 5 Plats, Page 149, said being the point of beginning, thence East eighty two (82) feet; thence North two hundred eighty (280) feet, thence West two hundred Twenty (220) feet. Thence South fifty (5) feet, thence South 29°-38'-28" East 264.52 feet to the place of beginning, subject to easements of record.

3. That on May 3, 1993, Joan Schmidt, then Joan Kelley, granted to Randall G. and Kathleen A. Waterman, then the owners of the real estate first described above, a perpetual easement over, across and upon the real estate described second above to Randal G. and Kathleen A. Waterman, their heirs, successors and assigns, for purpose of installing, maintaining, repairing, the septic sewer system including but not limited to pipes, septic tanks, holding tanks, leach fields, drainage fields, etc. and the right of ingress and egress.

4. That due to lack of depth of the soil, the anticipated septic system was never built on real estate owned by Joan Schmidt, and I, the undersigned, state that Kala M. and Julian Schnittjer, as owners of the real estate first described above, have no interest in the easement granted, nor in ingress or egress over the real estate owned by Joan Schmidt, the second described real estate above.

5. That Kala M. and Julian Schnittjer hereby release the Septic Sewer System Easement granted on May 3, 1993, by Joan Kelley (n/k/a Joan Schmidt) and recorded in Book 3 Misc. at Page 254, and they claim no interest in this easement and completely and fully release any such easement and all claims to any use of the real estate described second above.

6. Further than this affiant saith naught.

Kala M. Schnittjer

Julian Schnittjer

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 5th day of April, 2016, before me the undersigned, a Notary Public in and for said State, personally appeared Kala M. Schnittjer and Julian Schnittjer, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

NANCY S. CHAPMAN
Commission Number 710118
My Comm. Exp. 5/22/19

Notary Public in and for the
State of Iowa.