COUNTY: DELAWARE
SECTION 23, T 88 N, R 5 W , SECTION 26, T88N, R5W
ALIQUOT PART: SE 1/4 - SW 1/4, SW 1/4 - SE 1/4, SEC. 23
NE 1/4 - NW 1/4, SE 1/4 - NW 1/4, NW 1/4 - NE 1/4, SEC. 26
CITY:
SURVEY: SCHMIDT'S FARM AND LAKE SUBDIVISION
BLOCK: LOTS: 1-36
PROPRIETOR: ED SCHMIDT, PATRICIA DEDE
REQUESTED BY: ED SCHMIDT, PATRICIA DEDE
SURVEYOR: RANDALL L. RATTENBORG
COMPANY: BURRINGTON, GROUP, INC. 105 W. MAIN STREET, MANCHESTER, IA 52057 INFO@BURRINGTONGROUP.COM 563-927-2434

FILED
Delaware Co. Assessor
MAY 0 3 2021

FILED
Delaware Co. Auditor
MAY 0 3 2021

Book 2021 Page 1603

Document 2021 1603 Type 06 002 Pages 37
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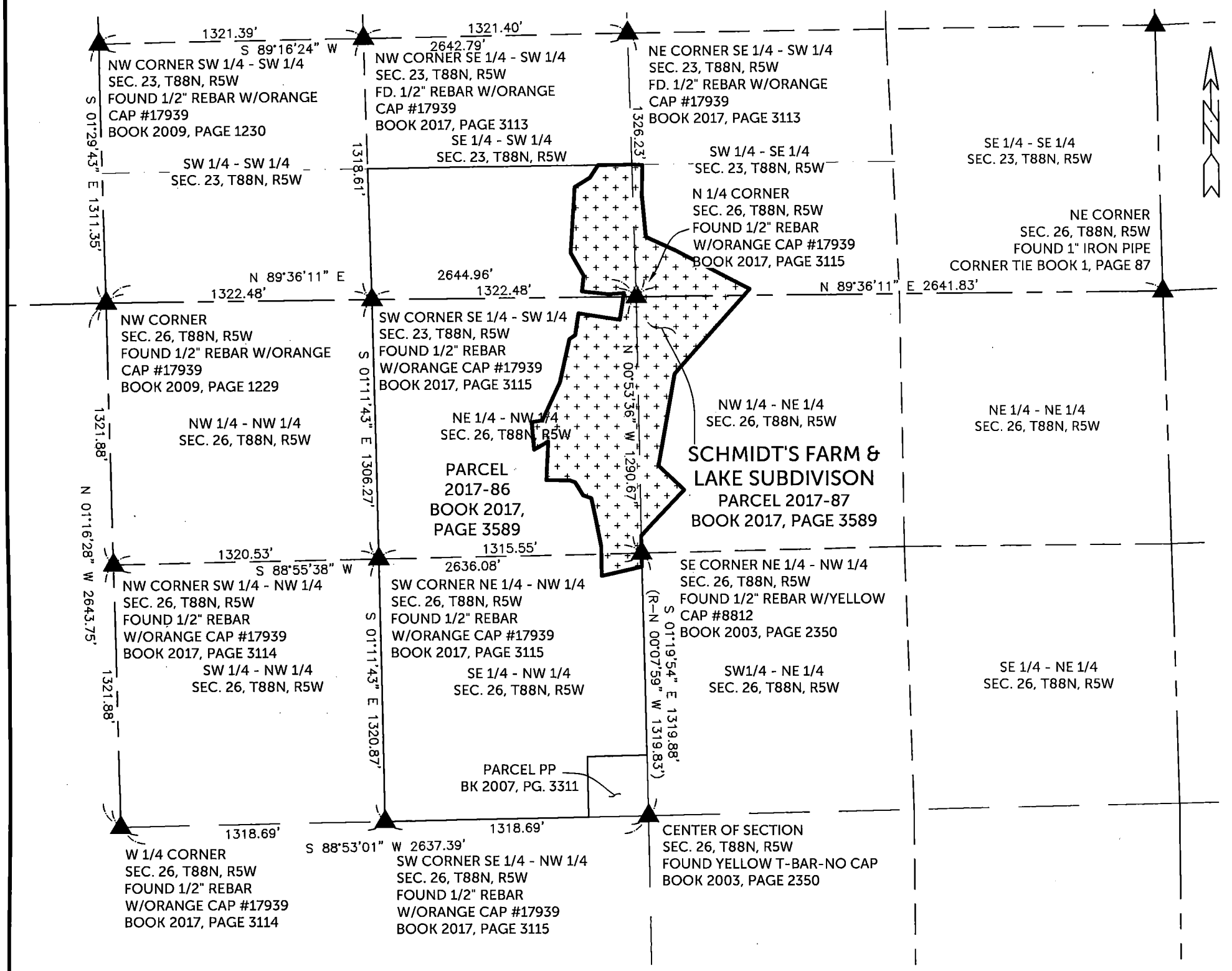
Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

SUBDIVISION PLAT

SCHMIDT'S FARM & LAKE SUBDIVISION
A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26
ALL IN T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

SCHMIDT'S FARM & LAKE SUBDIVISION, A SUBDIVISION OF PARCEL 2017-87, AS RECORDED IN BOOK 2017, PAGE 3589 IN THE OFFICE OF THE DELAWARE COUNTY RECORDER, BEING A PART OF THE S 1/2 OF THE SE 1/4 OF THE SW 1/4 AND PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION TWENTY-THREE (23), ALSO PART OF THE NE 1/4 OF THE NW 1/4, PART OF THE SE 1/4 OF THE NW 1/4, AND PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION TWENTY-SIX (26), ALL IN TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, CONTAINING 23.35 ACRES, DIVIDED INTO 36 LOTS, NUMBERED LOT 1 THROUGH LOT 36, AND SUBJECT TO EASEMENTS OF RECORD.

FOR DIMENSIONS OF LOTS 1-36 - SEE PAGES 3-5
FOR DIMENSIONS OF ROADS / ACCESS EASEMENTS - SEE PAGES 6-8
FOR LEGAL DESCRIPTION AND LOT ACREAGES - SEE SHEET 9



SURVEYED ON: JANUARY, JUNE, JULY 2015, FEBRUARY, MARCH, APRIL, MAY, JUNE 2016, FEBRUARY, MAY, JULY 2017
SURVEY REQUESTED BY: ED SCHMIDT, PATRICIA DEDE
Q:\Civil3D_Survey\Lake Delhi\Lake Delhi 2015.dwg

LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

SHEETS COVERED BY THIS SEAL: SHEET 1-9

PROPRIETORS: **ED SCHMIDT, PATRICIA DEDE**

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE 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.

4/18/2021
RANDALL L. RATTENBORG P.L.S. LIC. #17939 DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2021

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105 W. Main Street Manchester, Iowa 52057 burringtongroup.com

PROJECT NO. 14-117
SCALE: 1"=600', 200', 80', 40'
DATE: 02/18/2021
DRAWN BY: RLR
CHECKED BY: DM/DDK
GPS BOX: LAKE DELHI
SHEET 1 OF 11 & OPINION

600 0 600
SCALE: 1" = 600'

SCHMIDT'S FARM & LAKE SUBDIVISION

A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26
ALL IN T88N, R5W OF THE FIFTH P.M. , DELAWARE COUNTY, IOWA

PARCEL 2018-42
BOOK 2018, PAGE 3523

SE 1/4 - SW 1/4
SEC. 23, T88N, R5W

PARCEL 2018-41
BOOK 2018, PAGE 3523

28.4'
20.6'
N 89°26'18" E 1321.94'
724.99'
1152.21'
30.1'
427.22'
52.58'
S 88°34'26" E
156.69'
S 01°25'34" W
SW 1/4 - SE 1/4
SEC. 23, T88N, R5W

S 1/2 OF SE 1/4 - SW 1/4
SEC. 23, T88N, R5W

N 01°31'44" W 659.30'

S 05°27'09" E 206.20'
N 01°34'11" W 663.12'
158.31'
S 65°15'45" E
S 62°25'27" E 424.89'

SEE SHEET 4
FOR LOT DIMENSIONS

2.1'
N 89°36'11" E 1322.48'

SW CORNER SE 1/4 - SW 1/4
SEC. 23, T88N, R5W
FOUND 1/2" REBAR
W/ORANGE CAP #17939
BOOK 2017, PAGE 3115

N 1/4 CORNER
SEC. 26, T88N, R5W
FOUND 1/2" REBAR
W/ORANGE CAP #17939
BOOK 2017, PAGE 3115

SEE SHEET 3
FOR LOT DIMENSIONS

PARCEL 2017-86
BOOK 2017, PAGE 3589

NE 1/4 - NW 1/4
SEC. 26, T88N, R5W

N 01°11'43" W 1306.27'

S 41°36'39" W 571.85'
S 10°19'51" W 468.03'
MAQUOKETA RIVER
LAKE DELHI
NW 1/4 - NE 1/4
SEC. 26, T88N, R5W

S 46°42'04" E
177.12'
S 43°17'56" W 316.35'

SE CORNER NE 1/4 - NW 1/4
SEC. 26, T88N, R5W
FOUND 1/2" REBAR W/YELLOW
CAP #8812
BOOK 2003, PAGE 2350

87.53'
S 00°53'36" E

LEGEND

- SECTION CORNER
- FOUND 1/2"ø REBAR w/ ORANGE CAP #17939
- FOUND 2" I.D. IRON PIPE
- SET 1/2" REBAR w/ ORANGE CAP PLS 17939
- SECTION LINE
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- FENCE LINE
- WE NORMAL HIGH WATER LINE
- RANDOM/FRONTAGE LINE
- LOT LINE ESTABLISHED
- BOUNDARY ESTABLISHED
- R RECORDED

52.7'
1.4'
N 88°55'38" E
1315.55'

SW CORNER NE 1/4 - NW 1/4
SEC. 26, T88N, R5W
FOUND 1/2" REBAR
W/ORANGE CAP #17939
BOOK 2017, PAGE 3115

TURTLE CREEK CAMP REPLAT
BOOK 1999, PAGE 4340

N 01°11'43" W 1320.87'

S 01°19'54" E 1319.88'

SE 1/4 - NW 1/4
SEC. 26, T88N, R5W

200 0 200
SCALE: 1" = 200'

300.00'
S 88°40'06" W

S 01°19'54" E
303.87'
310.00'

PARCEL PP
BK 2007, PG. 3311

305.00'

CENTER OF SECTION
SEC. 26, T88N, R5W
FOUND YELLOW T-BAR-NO CAP
BOOK 2003, PAGE 2350

SW CORNER SE 1/4 - NW 1/4
SEC. 26, T88N, R5W
FOUND 1/2" REBAR
W/ORANGE CAP #17939
BOOK 2017, PAGE 3115

S 88°53'01" W 1318.69'
1018.69'
1318.69

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PARCEL 2017-86
BOOK 2017, PAGE 3589

PARCEL 2017-86
BOOK 2017, PAGE 3589

MAQUOKETA RIVER
LAKE DELHI

SCHMIDT'S FARM & LAKE SUBDIVISION
A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26, ALL IN T88N, R5W OF THE FIFTH P.M. , DELAWARE COUNTY, IOWA

SE CORNER NE 1/4 - NW 1/4
SEC. 26, T88N, R5W
FOUND 1/2" REBAR
W/YELLOW CAP #12642
BOOK 2003, PAGE 2350

80 0 80
SCALE: 1" = 80'

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LOT DIMENSIONS - SHEET 3

SCHMIDT'S FARM & LAKE SUBDIVISION

A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26
ALL IN T88N, R5W OF THE FIFTH P.M. , DELAWARE COUNTY, IOWA

PARCEL 2018-41
BOOK 2018, PAGE 3523

52.58'
S 88°34'26" E

169.73'
N 89°26'18" E

70.00'

75.00'
N 33°00'02" E

61.03'

36

83.53'
N 06°17'53" E

89.38'

156.69'
S 01°25'34" W

CENTERLINE OF
POVERTY CREEK

13.97'

30.83'

108.16'
S 71°40'29" E

68.27'

90.23'
N 58°21'45" E

S 88°33'05" E 150.70'

35

82.00'
N 19°59'03" E

67.31'

20.0' ACCESS
EASEMENT

60.32'

52.25'

61.84'

N 88°30'22" E 176.16'

104.72'
N 79°32'07" E

N 81°10'32" W

105.00'
N 01°49'58" W

34

89.78'

330.60'
N 03°55'38" E

94.49'
S 05°27'09" E

BACKWATER COVE OF
MAQUOKETA RIVER
LAKE DELHI

80 0 80
SCALE: 1" = 80'

N 88°28'22" W 198.98'

164.18'

N 84°32'51" E 157.11'

33

72.00'
N 03°13'48" W

68.40'
206.20'

79.00'

CENTERLINE OF
BACKWATER COVE

N 84°11'09" E 172.42'

N 89°09'26" E 195.71'

173.60'

SEE DETAIL SHEET 5

8.91'

34.39'

68.00'
N 13°30'17" W

32

20.0' ACCESS EASE

N 66°52'06" E 188.44'

101.50'

200.00'

S 79°08'10" W 205.41'

N 34°04'35" W
100.00'

N 43°03'55" E 161.19'

N 23°12'26" E 121.62'

56.21'

S 65°15'45" E 158.31'

51.91'

50.19'

26

25

100.87'
N 24°44'15" E

92.68'
N 24°44'15" E

31

N 29°29'58" W 132.03'

N 69°34'51" E 216.83'

200.00'

WE

78.00'
S 84°00'50" W

N 49°09'36" W
65.00'

N 62°25'27" W 424.89'
396.14'

30

N 52°25'52" E 274.86'
254.41'
240.02'

29

N 48°43'04" E 143.98'
131.10'

28

S 13°23'02" W 128.44'
122.40'

110.37'

27

24

N 06°26'21" E
79.39'

69.39'

S 09°24'51" W
71.85'

61.53'

20.0' ACCESS
EASEMENT
SEE SHEET 5
FOR DIMENSIONS

10.0'

110.51'
S 44°10'15" E
100.97'
90.02'

N 30°17'15" E 135.00'

57.55'

77.14'

N 83°33'39" W 134.68'

S 85°15'56" W
77.50'

10.0'

23

S 38°03'12" E
144.16'
133.65'

PARCEL 2017-86
BOOK 2017, PAGE 3589

22

SEE DETAIL PAGE
FOR DIMENSIONS

S 09°24'51" E 137.00'

98.52'
108.83'

21

128.66'
S 59°36'22" E
118.00'

N 39°43'41" E
71.50'

N 43°18'24" E
100.73'

S 48°23'21" E 213.45'

S 81°00'30" E 208.92'

30.0' ACCESS
EASEMENT

28.17'

S 69°03'23" E 202.30'

190.37'

20

135.00'
50.00'

S 48°23'21" E 220.33'

111.00'
N 09°03'53" E

80.97'

19

120.00'
N 16°00'42" E

132.00'
S 81°02'11" E
145.66'

52.00'
S 42°40'12" E

N 42°08'07" E
60.00'

25.00'

S 48°23'21" E 213.14'

101.00'
S 41°36'39" W 571.85'

33.00'
S 83°38'37" E

18

11.50'

66.00'
N 64°53'12" E

S 48°23'21" E 212.89'

68.37'

CENTERLINE OF
MAQUOKETA RIVER
LAKE DELHI

70.00'
S 56°00'39" E

70.00'
S 87°28'30" W

30.00'
N 87°28'30" E

98.19'
109.70'
S 74°14'45" E

S 48°23'21" E 212.77'

21.83'

47.86'

90.00'

222.52'

17

99.90'
S 27°15'05" W

16

165.00'
N 21°30'47" E

103.50'

S 57°21'24" E 239.52'

96.44'

N 79°46'47" W 125.46'

N 12°44'34" E
132.52'

100.59'
S 54°05'59" E

103.00'
N 72°53'18" E
94.94'

50.00'

S 79°40'09" E 245.97'

5.80'

15

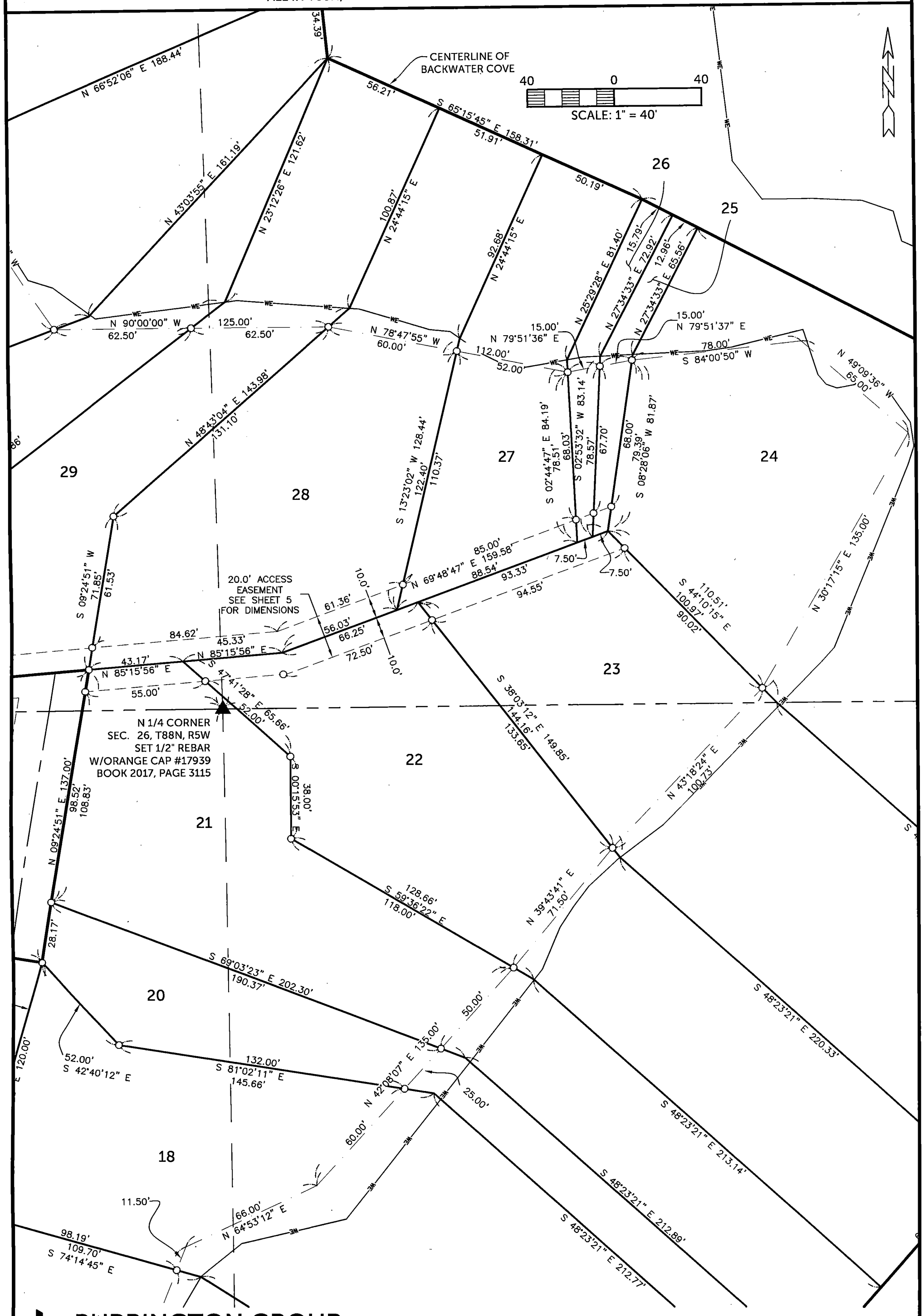
22.00'

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LOT DIMENSIONS - SHEET 4

SCHMIDT'S FARM & LAKE SUBDIVISION

A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26
ALL IN T88N, R5W OF THE FIFTH P.M. , DELAWARE COUNTY, IOWA



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LOT DIMENSIONS DETAIL PAGE- SHEET 5

SCHMIDT'S FARM & LAKE SUBDIVISION

A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26, ALL IN T88N, R5W OF THE FIFTH P.M. , DELAWARE COUNTY, IOWA

DETAIL SCALE 1" = 100'

100 0 100

SCALE: 1" = 100'

DETAIL SCALE 1" = 80'

80 0 80

SCALE: 1" = 80'

PARCEL 2017-86
BOOK 2017, PAGE 3589

L=89.95'
R=175.00'
Δ=29°26'57"
C=88.96'
CB=N 14°43'28" W

L=109.92'
R=150.00'
Δ=41°59'11"
C=107.48'
CB=N 20°59'35" W

30.0' ACCESS EASEMENT

L=130.83'
R=175.00'
Δ=42°50'04"
C=127.80'
CB=N 20°34'09" W

204th AVENUE

S 00°50'53" W 175.00'

N 02°55'32" E 117.00'

L=81.48'
R=100.00'
Δ=46°41'00"
C=79.24'
CB=N 20°24'58" W

N 43°45'28" W 282.24'

30.0' ACCESS EASEMENT

PARCEL 2017-86
BOOK 2017, PAGE 3589

THE 20' ACCESS EASEMENT THROUGH PARCEL PP IS BEING CHANGED AND RE-ROUTED TO ACCOMMODATE THIS SUBDIVISION.

PARCEL PP
BOOK 2007, PAGE 3311

10.33'
25.0'
15.0'
114.24'
N 89°20'52" E
34.71'
N 30°33'33" W
300.00'
15.0'
S 89°20'52" W
76.44'
20.0'
55.00'
N 04°04'18" E
N 07°02'36" W
65.45'
198.70'
S 88°55'31" W 216.75'
72.00'

PARCEL 2018-05
BOOK 2018, PAGE 2330

204th AVENUE

205th AVENUE

CENTER OF SECTION - SEC. 26, T88N, R5W
FOUND T-BAR - CORNER TIE BOOK 1, PAGE 42

EAST 6 ACRES
NE 1/4 - SW 1/4
SEC. 26, T88N, R5W

N 01°05'33" W 1315.32'

N 01°05'33" W 1244.64'

ALL OF PARCEL 2018-05 IS BEING USED AS AN ACCESS AND UTILITY EASEMENT

15.0' ACCESS & UTILITY EASEMENT

PARCEL PP
BOOK 2007, PAGE 3311

N 01°19'54" W 240.33'

25.0'

15.0'

114.2
N 89

1318.69'

S 89°20'52" W
76.44'

20.0'

267th STREET

SE CORNER NE 1/4 - SW 1/4
SEC. 26, T88N, R5W
FOUND MAGNAIL W/CAP

S 88°36'20" W 198.70'

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ACCESS EASEMENT DETAIL - SHEET 6

PARCEL 2017-86
BOOK 2017, PAGE 3589

SCHMIDT'S FARM & LAKE SUBDIVISION
A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26, ALL IN T88N, R5W OF THE FIFTH P.M. , DELAWARE COUNTY, IOWA

80 0 80
SCALE: 1" = 80'

PARCEL 2017-86
BOOK 2017, PAGE 2589

PARCEL 2017-86
BOOK 2017, PAGE 3589

13
12
11
10
9
8
7
6
5
4
3
2

261st STREET
N 71°11'02" E 196.92'
144.43'
52.49'
S 25°11'40" W
N 25°11'40" E
30.0' ACCESS EASEMENT
55.00'
S 80°34'56" W
70.00'
N 80°34'56" E
50.00'
N 36°38'52" E
45.36'
N 82°25'00" E
20.0' ACCESS EASEMENT
33.93'
70.80'
N 82°25'00" E
N 61°27'36" W 171.05'
90.00'
S 29°47'00" E
112.01'
20.0' ACCESS EASEMENT
S 04°40'32" E 138.42'
204th AVENUE
N 00°53'40" W 200.00'
81.99'
93.01'
S 86°38'36" E 175.00'
90.00'
N 11°57'07" E
N 89°21'40" W 118.12'
28.11'
S 69°57'52" E
90.00'
N 80°23'24" E
S 89°21'40" E 170.00'
20.0' ACCESS EASEMENT
22.88'
N 69°57'52" W
S 31°06'41" E
77.01'
20.0' ACCESS EASEMENT
43.46'
S 68°26'59" E
S 31°06'41" E 184.35'
S 12°10'41" E
102.72'
20.0' ACCESS EASEMENT
S 11°02'34" E 161.99'
S 11°02'34" E 144.35'
S 00°49'10" E 148.59'
S 00°49'10" E 147.35'
20.0'
N 77°08'42
110.00'
N 20°51'47" E
204th AVENUE
N 13°17'26" E 190.30'
L=149.19'
R=200.00'
Δ=42°44'23"
C=145.75'
CB=N 08°04'45" W
30.0' ACCESS EASEMENT
N 29°26'57" W 123.50'
L=89.95'
R=175.00'
Δ=29°26'57"
C=88.96'
CB=N 14°43'28" W
L=109.92'
R=150.00'
Δ=41°59'11"
C=107.48'
CB=N 20°59'35" W
L=130.83'
R=175.00'
Δ=42°50'04"
C=127.80'
CB=N 20°34'09" W

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ACCESS EASEMENT DETAIL - SHEET 7

SCHMIDT'S FARM & LAKE SUBDIVISION

A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26, ALL IN T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

PARCEL 2017-86
BOOK 2017, PAGE 3589

36
35
34
33
32
31
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29
28
27
23
22
21
20
19
18
17
16
15
14
13
12
11

108.16'
S 71°40'29" E
68.27'
30.83
50.00'
N 08°20'21" E
36.43'
N 26°50'44" E
20.0' ACCESS EASEMENT
50.00'
95.00'
52.25'
61.84'
N 81°10'32" W
208.00'
104.72'
N 79°32'07" E
113.00'
N 79°32'07" E
N 62°55'59" E 177.00'
20.0' ACCESS EASEMENT
330.60'
100.10'
30.00'
S 88°28'22" E 198.98'
20.0' ACCESS EASEMENT
N 03°55'38" E
75.00'
S 25°03'08" E
82.35'
70.00'
N 63°41'02" E 329.56'
260th STREET
N 13°01'36" E 200.00'
148.73'
105.50'
S 00°51'32" E
89.60'
20.0' ACCESS EASE
80.00'
S 79°08'10" W 205.41'
51.27'
64.49'
N 17°00'50" W
260th STREET
N 65°19'55" W 250.00'
20.0' ACCESS EASEMENT
105.32'
N 83°33'39" W
N 83°33'39" W 134.68'
62.03'
S 85°15'56" W
77.50'
20.0' ACCESS EASEMENT SEE SHEET 5 FOR DIMENSIONS
10.0'
10.0'
260th STREET
S 09°24'51" W 137.00'
N 09°24'51" E 132.39'
30.0' ACCESS EASEMENT
42.40'
S 83°38'37" E
46.46'
N 54°40'56" E
68.74'
S 56°00'39" E
35.00'
N 54°40'56" E
108.34'
N 16°00'42" E
N 16°00'42" E 120.00'
70.00'
S 56°00'39" E
84.26'
N 87°28'30" E
33.00'
S 83°38'37" E
70.00'
S 87°28'30" W
30.00'
N 87°28'30" E
204th AVENUE
N 12°44'34" E
90.00'
N 12°44'34" E 226.63'
S 12°44'34" W 132.52'
N 25°11'40" E 199.77'
S 25°11'40" W 209.28'
45.36'
N 82°25'00" E
20.0' ACCESS EASEMENT
33.93'
70.80'
N 82°25'00" E
N 61°27'36" W 171.05'
30.0' ACCESS EASEMENT
55.00'
S 80°34'56" W
261st STREET
N 71°11'02" E 196.92'
52.49'
144.43'

80 0 80
SCALE: 1" = 80'

N

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ACCESS EASEMENT DETAIL - SHEET 8

SCHMIDT'S FARM & LAKE SUBDIVISION
A SUBDIVISION OF PARCEL 2017-87 IN SEC. 23, AND SEC. 26
ALL IN T88N, R5W OF THE FIFTH P.M. , DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

SCHMIDT'S FARM & LAKE SUBDIVISION, A SUBDIVISION OF PARCEL 2017-87, AS RECORDED IN BOOK 2017, PAGE 3589 IN THE OFFICE OF THE DELAWARE COUNTY RECORDER, BEING A PART OF THE S 1/2 OF THE SE 1/4 OF THE SW 1/4 AND PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION TWENTY-THREE (23), ALSO PART OF THE NE 1/4 OF THE NW 1/4, PART OF THE SE 1/4 OF THE NW 1/4, AND PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION TWENTY-SIX (26), ALL IN TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, CONTAINING 23.35 ACRES, DIVIDED INTO 36 LOTS, NUMBERED LOT 1 THROUGH LOT 36, SUBJECT TO EASEMENTS OF RECORD, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION TWENTY-SIX (26), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA;

THENCE ALONG THE EASTERLY LINE SE 1/4 OF THE NW 1/4 OF SAID SECTION TWENTY-SIX (26), SOUTH 01° 19' 54" EAST, 67.51 FEET;

THENCE SOUTH 77° 08' 42" WEST, 206.92 FEET;

THENCE NORTH 00° 49' 10" WEST, 147.35 FEET;

THENCE NORTH 11° 02' 34" WEST, 144.35 FEET;

THENCE NORTH 12°10' 41" WEST, 102.72 FEET;

THENCE NORTH 68° 26' 59" WEST, 43.46 FEET;

THENCE NORTH 31° 06' 41" WEST, 77.01 FEET;

THENCE NORTH 69° 57' 52" WEST, 28.11 FEET;

THENCE NORTH 89° 21' 40" WEST, 118.12 FEET;

THENCE NORTH 02° 51' 24" EAST, 194.32 FEET;

THENCE SOUTH 60° 47' 59" WEST, 80.72 FEET;

THENCE NORTH 04° 40' 32" WEST, 138.42 FEET;

THENCE NORTH 80° 34' 56" EAST, 55.00 FEET;

THENCE NORTH 25° 11' 40" EAST, 209.28 FEET;

THENCE NORTH 12° 44' 34" EAST, 222.52 FEET;

THENCE NORTH 54° 40' 56" EAST, 35.00 FEET;

THENCE NORTH 09° 03' 53" EAST, 111.00 FEET;

THENCE SOUTH 81° 00' 30" EAST, 208.92 FEET;

THENCE NORTH 09° 24' 51" EAST, 137.00 FEET;

THENCE SOUTH 85° 15' 56" WEST, 77.50 FEET;

THENCE NORTH 83° 33' 39" WEST, 134.68 FEET;

THENCE NORTH 06° 26' 21" EAST, 79.39 FEET;

THENCE NORTH 29° 29' 58" WEST, 132.03 FEET;

THENCE NORTH 03° 55' 38" EAST, 330.60 FEET;

THENCE NORTH 58° 21' 45" EAST, 90.23 FEET;

THENCE NORTH 33° 00' 02" EAST, 75.00 FEET TO THE NORTHERLY LINE OF THE S 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION TWENTY-THREE (23);

THENCE ALONG THE NORTHERLY LINE OF THE S 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION TWENTY-THREE (23), NORTH 89° 26' 18" EAST, 169.73 FEET TO THE EASTERLY LINE OF THE S 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION TWENTY-THREE (23);

THENCE ALONG A LINE PERPENDICULAR TO THE CENTER OF A BACKWATER COVE OF THE MAQUOKETA RIVER, SOUTH 88° 34' 26" EAST, 52.58 FEET, MORE OR LESS;

THENCE ALONG THE CENTERLINE OF A BACKWATER COVE ON THE MAQUOKETA RIVER, SOUTH 01° 25' 34" WEST, 156.69 FEET, MORE OR LESS;

THENCE CONTINUING ALONG THE CENTERLINE OF A BACKWATER COVE ON THE MAQUOKETA RIVER, SOUTH 05° 27' 09" EAST, 206.20 FEET, MORE OF LESS;

THENCE CONTINUING ALONG THE CENTERLINE OF A BACKWATER COVE ON THE MAQUOKETA RIVER, SOUTH 65° 15' 45" EAST, 158.31 FEET, MORE OF LESS;

THENCE CONTINUING ALONG THE CENTERLINE OF A BACKWATER COVE ON THE MAQUOKETA RIVER, SOUTH 62° 25' 27" EAST, 424.89 FEET, MORE OF LESS TO THE CENTERLINE OF THE MAQUOKETA RIVER (LAKE DELHI);

THENCE ALONG THE CENTERLINE OF THE MAQUOKETA RIVER (LAKE DELHI), SOUTH 41° 36' 39" WEST, 571.85 FEET, MORE OR LESS;

THENCE CONTINUING ALONG THE CENTERLINE OF THE MAQUOKETA RIVER (LAKE DELHI), SOUTH 10° 19' 51" WEST, 468.03 FEET, MORE OR LESS;

THENCE CONTINUING ALONG THE CENTERLINE OF THE MAQUOKETA RIVER (LAKE DELHI), SOUTH 46° 42' 04" EAST, 177.12 FEET, MORE OR LESS;

THENCE SOUTH 43° 17' 56" WEST, 316.35 FEET, TO THE EASTERLY LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION TWENTY-SIX (26);

THENCE ALONG THE EASTERLY LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION TWENTY-SIX (26), SOUTH 00° 53' 36" EAST, 87.53 FEET TO THE POINT OF BEGINNING;

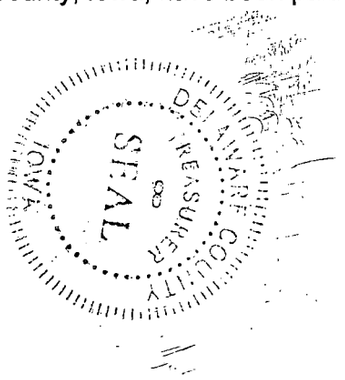
LOT	LAND ACRES	RIVER ACRES	TOTAL ACRES
LOT 1	0.72	0.17	0.89
LOT 2	0.46	0.95	1.41
LOT 3	0.23	0.50	0.73
LOT 4	0.24	0.31	0.55
LOT 5	0.27	0.14	0.41
LOT 6	0.54	0.13	0.67
LOT 7	0.43	0.23	0.66
LOT 8	0.43	0.33	0.76
LOT 9	0.37	0.12	0.49
LOT 10	0.42	0.23	0.65
LOT 11	0.23	0.35	0.58
LOT 12	0.20	0.37	0.57
LOT 13	0.47	0.00	0.47
LOT 14	0.54	0.63	1.17
LOT 15	0.68	0.39	1.07
LOT 16	0.50	0.31	0.81
LOT 17	0.33	0.00	0.33
LOT 18	0.32	0.61	0.93
LOT 19	0.57	0.00	0.57
LOT 20	0.16	0.11	0.27
LOT 21	0.40	0.25	0.65
LOT 22	0.37	0.35	0.72
LOT 23	0.28	0.50	0.78
LOT 24	0.31	1.26	1.57
LOT 25	0.02	0.02	0.04
LOT 26	0.02	0.03	0.05
LOT 27	0.15	0.11	0.26
LOT 28	0.39	0.13	0.52
LOT 29	0.34	0.15	0.49
LOT 30	0.39	0.09	0.48
LOT 31	0.51	0.28	0.79
LOT 32	0.38	0.15	0.53
LOT 33	0.34	0.26	0.60
LOT 34	0.38	0.44	0.82
LOT 35	0.32	0.29	0.61
LOT 36	0.15	0.30	0.45
TOTAL			**23.35**

LEGAL DESCRIPTION
LOT ACREAGES
SHEET 9

BURRINGTON GROUP, INC.
Civil Engineering | Land Surveying
105 W. Main Street Manchester, Iowa 52057
Phone 563-927-2434
burringtongroup.com

CERTIFICATE OF TREASURER

I, the undersigned, Pam Klein, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***SCHMIDT'S FARM & LAKE SUBDIVISION***, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

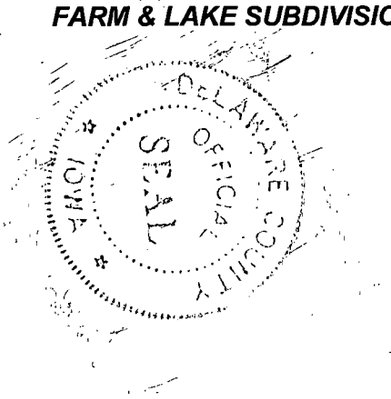


Pam Klein 5/3/21

Pam Klein, County Treasurer Date

APPROVAL OF AUDITOR

I, Carla Becker, Auditor of Delaware County, Iowa, pursuant to Iowa Code Sections 354.6(2) and 354.11(6), have reviewed and do hereby approve of the subdivision name or title of ***SCHMIDT'S FARM & LAKE SUBDIVISION***, a subdivision in Delaware County, Iowa.



Carla Becker, Delaware County Auditor

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

The foregoing plat of ***SCHMIDT'S FARM & LAKE SUBDIVISION***, has been examined and approved as to being in full compliance with Delaware County Ordinance #12, The Uniform Rural Address System, as passed and adopted by the Delaware County Board of Supervisors on the 6th day of August, 1996

Michael Corkery - Coordinator
Delaware County E-911 Board

OWNER'S ACKNOWLEDGMENT

I, Ed Schmidt, of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with my desire.

Ed Schmidt

State of Iowa)
)
County of Delaware) ss:

On this 29th day of April A.D. 2021, before me a Notary Public in and for said County, personally appeared Ed Schmidt and to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said County

DONNA M. KUNDE
Commission Number 176097
My Commission Expires
8-16-21

OWNER'S ACKNOWLEDGMENT

I, Patricia Dede, of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with my desire.

Patricia Dede

State of Iowa)
)
County of Delaware) ss:

On this 29th day of April A.D. 2021, before me a Notary Public in and for said County, personally appeared Patricia Dede and to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said County

DONNA M. KUNDE
Commission Number 176097
My Commission Expires
8-16-21

DANIEL H. SWIFT
Attorney at Law

108 North Madison Street
P.O. Box 207
Manchester, Iowa 52057
563-927-4901
swiftlawiowa.com

Hubert J. Swift (1893-1970)
John Q. Swift (1922-2009)
Daniel H. Swift

April 28, 2021

Patricia Dede
Achinback Farm LLC
2477 197th Ave.
Manchester, IA 52057

Ed Schmidt
Achinback Farm LLC
26500 204th Ave.
Manchester, IA 52057

Randall Rattenborg
105 W. Main St.
Manchester, IA 52057

RE: ACHINBACK FARM LLC/DEDE/SCHMIDT-ABSTRACT

Dear folks,

At your request, I have examined the Abstract of Title in one part, bearing No. 5051, which was last certified on the 16th day of March 2021 at 8:00 AM by the Delaware County Abstract Company, Inc. This Abstract deals with Title to the following described real estate, to wit:

> Parcel 2017-87; Part Of The S ½-SE ¼-SW ¼, SW ¼-SE ¼ Of Sec. 23; Part Of The NE ¼-NW ¼, SE ¼-NW ¼, NW ¼-NE ¼ Of Sec. 26; All In T88N, R5W Of The Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2017, Page 3589

Based entirely upon my examination of the Abstract, I am of the opinion that Title to said property is in Patricia A. Dede, a married person, and Edward Schmidt, a married person, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common, subject to the following:

1. Entry No. 79 of the Abstract sets forth Abstractor's Certificate; judgment and personal lien searches have been made against all necessary parties; judgment of personal lien searches in the office

of the Clerk of the District Court for Delaware County, Iowa, are made by using the Abstractor's Lien Index Report.

2. Entry No. 78 of the Abstract sets forth Real Estate Taxes and shows none as owing; said Real Estate Taxes can become a lien upon the real estate if they are not timely paid;

Entry No. 78 further indicates that Special Assessments are only shown if they are available on the Iowa State County Treasurer's Association website; please refer to the Delaware County Treasurer for information regarding ten year or other multi-year Special Assessments, including total payments due since those amounts are unavailable on the ISCTA website.

3. Entry No. 77 of the Abstract sets forth Mechanic Lien Certification; the Abstractor has made a search of the Mechanic's Notice, and Lien Registry maintained by the Iowa Secretary of State for Delaware County, Iowa, for Commencement of Work Notices, Preliminary Notices or Mechanic Liens indexed against the land described in Caption No. 78552 and they find: NONE.

4. Entry No. 76 of the Abstract sets forth a Quit Claim Deed from Edward Schmidt and Edra J. Schmidt, his wife, and Patricia A. Dede and Donald D. Dede, her husband, to Beverly L. Schneider Declaration of Trust dated May 31, 2002, dated February 4, 2019, and filed on February 25, 2019, in Book 2019, Page 408; said Quit Claim Deed is shown for reference only; the Examiner makes no statement concerning the property described in the caption of said Quit Claim Deed as same has not been abstracted by the Delaware County Abstract Company, Inc.

5. Entry No. 75 of the Abstract sets forth Plat of Survey Parcel 2018-41, part of the SW ¼ and part of the SE ¼ Parcel 2018-14, part of the SW ¼ and part of the SE ¼ all in Section 23, T88N, R5W of the Fifth P.M., Delaware County, Iowa, dated December 14, 2018, and filed on December 14, 2018, in Book 2018, Page 3523; said Plat is shown for reference only; attached hereto and identified as Exhibit "A" is a copy of Entry No. 75 of the Abstract with the plat map attached; the Examiner makes no statement concerning the property described in the caption of said Plat as same has not been abstracted by the Delaware County Abstract Company, Inc.; however, you should examine attached Exhibit "A" to make yourself aware of and to notice any and all matters contained in this Plat which may have an adverse effect upon your intended use of the real estate and to take notice of all matters in the Plat that effect or encumber your real estate.

6. Entry No. 72 of the Abstract sets forth Plat of Survey Parcel 2017-86; part of the S ½-SE ¼-SW ¼ of Sec. 23, & part of the NE ¼- NW ¼, SE ¼-NW ¼ of Sec. 26; Parcel 2017-87; part of the S ½-SE ¼-SW ¼, SW ¼-SE ¼ of Sec. 23; part of the NE ¼-NW ¼, SE ¼-NW ¼, NW ¼-NE ¼ of Sec. 26; all in T88N, R5W of the Fifth P.M., Delaware County, Iowa, dated December 28, 2017, and filed on December 29, 2017, in Book 2017, Page 3589, attached hereto and identified as Exhibit "B" is a copy of Entry No. 72 of said Plat with the plat maps attached and said Exhibit "B" is incorporated

herein by this reference; this Plat deals with the real estate which is the subject of this opinion; that you should examine attached Exhibit "B" and take notice of any and all matters contained in said attached Exhibit "B" and to observe all matters contained in attached Exhibit "B" which may have an adverse effect or influence on your intended use of the property, or which may impede or encumber the property and its intended use.

7. Entry No. 68 of the Abstract sets forth Abstractor's Note: we have not shown any instruments or proceedings of record which describe cabins on leased land located on the real estate as described in Caption No. 72394; there are cabins located on leased land which are involved in this real estate, and you should make yourself aware of their location as it relates to the Plat.

8. Entry No. 67 of the Abstract sets forth Delaware County Ordinance No.34 Floodplain Management Ordinance adopted September 13, 2010, by the Delaware County Board of Supervisors and filed on December 13, 2010, in Book 2010, Page 4030, and re-recorded December 23, 2010, in Book 2010, Page 4191, which provides for flood hazard areas of Delaware County, Iowa, and provisions applying to said land; that you should ascertain as to whether or not the real estate described in the caption of the Abstract, or any portion thereof, is subject to the Floodplain Management Ordinance as adopted by the Delaware County Supervisors, to determine the nature and effect upon your intended use of the real estate.

9. Entry No. 66 of the Abstract sets forth a Statement and Notice indicating that on October 11, 1994, a Notice was recorded in Book 5, Misc., Page 54, stating that certain real estate in Delaware County, Iowa, is exempt from taxation under Chapter 427C of the Iowa Code; Section 427C.12 provides that a recapture tax may be due once the property no longer qualifies for said exemption; the Statement and Notice does not describe any real estate.

10. Entry No. 65 of the Abstract sets forth a Fire Protection Agreement by and between Delhi Volunteer Fire Department of Delhi, Delaware County, Iowa, Party the First Part and Milo Township, Delaware County, Iowa, Party of the Second Part, dated July 30, 1987, and filed on July 31, 1987, in Book Z, Misc., Page 30; said Agreement provides that the Party of the First Part will provide fire protection for the real estate described in the caption of the Abstract for a period of five (5) years commencing on July 1, 1987, and shall be automatically renewable for consecutive periods of three (3) years thereafter, unless one or the other party chooses not to renew the Agreement; the Agreement further provides for an annual tax levy of $0.32 per $1000.00 of assessed value against all taxable property in the fire district.

11. Entry No. 64 of the Abstract sets forth a Statement and Notice indicating that on May 5, 1981, a Notice was recorded in Book U, Misc., Page 124, stating that certain real estate in Delaware County, Iowa, may be subject to the soil conservation practice refund provided for in Chapter 467A.7 (16) - 1981 Code; the Statement and Notice does not describe any real estate.

12. Entry No. 60 of the Abstract sets forth a Plat of Survey Parcel PP part of the SE ¼-NW ¼, and part of the NE ¼-SW ¼ Sec. 26, T88N, R5W of the Fifth P.M. Delaware County, Iowa, dated October 10, 2007, and filed on October 10, 2007, in Book 2007, Page 3311; said Plat is shown for reference only; the Examiner makes no statement concerning the property contained in the caption of said Plat as same has not been abstracted by the Delaware County Abstract Company, Inc.; attached hereto and identified as Exhibit "C" is a copy of Entry No. 60 and the plat map and said Exhibit "C" is incorporated herein by this reference; that you should examine attached Exhibit "C" to take notice of and to observe any and all matters contained therein which may have an adverse effect upon your intended use of your real estate.

13. Entry No. 59 of the Abstract sets forth Estate in the matter of the Estate of Nola Mae Schmidt, Deceased, in the District Court of Delaware County, Iowa, Probate Case No. ESPR004944; Nola Mae Schmidt died testate on November 23, 2006, a resident of Delaware County, Iowa, survived by no spouse; the Report and Inventory in said Estate involves the real estate described in the caption of the Abstract and also involves all lake frontage running to the waterfront and then at right angles to the middle of Delhi Lake in respect to the real estate described in the caption of the Plat; the Examiner understands the current plat as referred to herein, includes the lake frontage in the plat description.

14. Entry No. 58 sets forth Plat of Survey, East Line of the SE ¼-NW ¼, Sec. 26, T88N, R5W, of the Fifth Principal Meridian, Delaware County, Iowa, dated June 12, 2003, and filed on June 13, 2003, in Book 2003, Page 2863; attached hereto and identified as Exhibit "D" is a copy of Entry No. 58 of the Abstract and the plat map and said Exhibit "D" is incorporated herein by this reference; that you should examine the attached Exhibit "D," to ascertain all matters and to observe all matters contained therein which may have an adverse effect upon your intended use of the real estate.

15. Entry No. 55 of the Abstract sets forth a Quit Claim Deed from Earl E. Schmidt and Nola Mae Schmidt, husband and wife, to Mark Thompson and Linda Sue Thompson, husband and wife, as Joint Tenants with Full Rights of Survivorship and not as Tenants in Common, dated June 2, 2000, and filed on June 5, 2000, in Book 2000, Page 1695; said Quit Claim Deed is shown for reference only; the Examiner makes no statement concerning the property described in the caption of said Quit Claim Deed as same has not been abstracted by the Delaware County Abstract Company, Inc.

16. Entry No. 54 of the Abstract sets forth a Warranty Deed from Earl E. Schmidt and Nola Mae Schmidt, husband and wife, to Mark Thompson and Linda Sue Thompson, husband and wife, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common, dated June 2, 2000, and filed on June 5, 2000, in Book 2000, Page 1694; said Warranty Deed is shown for reference only; the Examiner makes no statement concerning the property described in the caption of said Warranty Deed, and same has not been abstracted by the Delaware County Abstract Company, Inc.

17. Entry No. 44 of the Abstract sets forth Certified Copies for the Iowa Natural Resources Council in the matter of the application of the Interstate Power Company, Dubuque, Iowa; Order No. 73-43 filed on September 25, 1974, in Book P, Misc., Page 101; the Interstate Power Company is approved and permitted to be and granted the right to operate and maintain the dam in the Maquoketa River near Delhi, Iowa, and Sections 29 and 30, T88N, R4W, Delaware County, Iowa, subject to the water level in the impoundment being maintained at the elevation ranging between 121.5 and 122.0 assumed local datum subject to the local flow of the river; that you should examine said Certified Copies to ascertain the nature and effect of same upon your intended use of the real estate.

18. Entry No. 27 of the Abstract sets forth Drainage Agreement by and between Frank G. Heisermen, a single person, First Party and Earl J. Durey and Mary E. Durey, husband and wife, Second Party, and Harold Glass Jr. and Kathlene Glass, husband and wife, Third Party, dated December 30, 1969, and filed on December 31, 1969, in Book M, Misc., Page 106; attached hereto and identified as Exhibit "E" is a copy of said Drainage Agreement, Entry No. 27 of the Abstract with the drainage agreement map and said Exhibit "E" is incorporated herein by this reference; the parties therein in consideration of one dollar and other good and valuable consideration including the proper drainage of the land described therein owned by the respective parties and including the mutual benefits which they mutually received by reason of the installation of a proposed mutual drainage project agree, both jointly and severally, to bind themselves, their heirs, successors and assigns to the provisions contained therein; said Agreement is binding upon the Parties thereto, their heirs, successors and assigns and appears to be perpetual and run with the land; that you should examine the attached Exhibit "E", and ascertain the location of same as it relates to your real estate, to determine the nature and effect of same upon your intended use of the real estate.

19. Entry No. 22 of the Abstract sets forth Fence Agreement by and between Marvin Logan and Viola Logan, and Frank Heisermen, dated November 5, 1953, and filed on November 9, 1953, in Book 1, Fence Decisions, Page 16; said Fence Agreement is entered to maintain partition fences between the lands owned by the parties thereto and set forth an agreement between the parties in regards to the maintenance of said fence; attached hereto and identified Exhibit "F" is a copy of said Fence Agreement and said Exhibit "F" is incorporated herein by this reference; the Fence Agreement indicates that it is effective "at any future time" and the Examiner believes it is binding upon the parties thereto, their heirs, successors, and assigns and appears to be perpetual and run with the land; that you should examine the attached Exhibit "F" and ascertain the location of same as it relates to your real estate to determine the nature and effect of same upon your intended use of the real estate.

20. Entry No. 21 of the Abstract sets forth Conveyance of Right-of-Way Easement from Frank Heisermen, widower, to Maquoketa Valley Rural Electric Co-operative dated September 1, 1950, and filed on June 2, 1951, in Book 1, R.E.A. Easement Record, Page 384; said Conveyance grants to Maquoketa Valley Rural Electric Co-operative, its successors and assigns, the right to enter in and upon the lands situated in Delaware County, Iowa for the purpose of constructing, operating,

replacing, repairing, and maintaining thereon, electric transmission lines; said Easement appears to be binding upon the parties thereto, their heirs, successors, and assigns and appears to be perpetual and run with the land; the Conveyance of Right-of-Way Easement creates rights and responsibilities between the parties thereto; that you should examine said Easement, and ascertain the location of same as it relates to your real estate, to determine the nature and effect of same upon your intended use of the real estate.

21. Entry No. 14 of the Abstract sets forth Guardian's Deed from Anna L. Heiserman, Guardian, as aforesaid to Maria Wilhelmina Hauserman, dated November 12, 1920, and filed on January 25, 1921, in Book 56, L. D., Page 364; said Guardian's Deed is shown for reference only; the Examiner makes no statement concerning the property described in the caption of said Guardian's Deed as same has not been abstracted by the Delaware County Abstract Company, Inc.

22. The property is subject to the rights of persons in possession, if any.

23. Claims for labor and improvements made within the last ninety (90) days could become liens without appearing in the Abstract, and you should satisfy yourself that all such bills have been paid.

24. You should also satisfy yourself by a survey of a competent surveyor, engineer, or otherwise, as to the boundaries of the property, any encroachments thereon, and the location of any improvements thereon.

25. The Examiner makes no statement concerning County of City Ordinances other than those abstracted. You must apprise yourself of any such regulations, zoning, or ordinances enacted by the County or City affecting your property, if you desire to do so.

26. You are further advised to check with the County or City Records concerning any possible special assessments on said real estate since special assessments can be a lien upon the real estate prior to their being recorded and could be a lien without showing in the Abstract and you must make this investigation personally, if you desire to do so.

27. The Examiner makes no statement regarding any actions or proceedings in the United States District Court unless same have been transcribed or filed in the Delaware County Court House and shown in the Abstract by the Delaware County Abstract Company, Inc., which would include challenges or objections to the interest of titleholders brought pursuant to eleven U.S.C. Sections 547 and 548 (Federal Bankruptcy Code).

28. The Examiner and Abstracter do not have access to pending Dissolutions of Marriage. They can make no certification or examination that there are cases that may or may not affect the Title.

29. No opinion is expressed as to forged or fraudulent contracts, deeds, or other instruments affecting the Title.

30. No opinion is expressed as to any state of facts which might be revealed by physical inspection or soil tests of the property, including but not limited to diseased trees, location of driveways, easements, fences, hedges, drainage ditches, and any encroachment or buildings which may have set the boundary lines of the property, other than specifically mentioned herein.

31. No opinion is expressed as to any flood plain regulations, encroachment limits, or flood plain zoning as established by the Iowa Natural Resources Council other than as specifically mentioned herein. The real estate as abstracted may be subject to National Flood Insurance. The current status of the District must be determined by reference to the records of the County, the City Clerk, or your insurance agent. Showing of the Zoning Classification and the plat of the current flood boundaries and floodway are omitted due to the manner in which these records are kept and the changes and variances granted by the County, the City Council, and the United States Department of Housing and Urban Development Federal Insurance Administration.

32. No opinion is given as to any security interest in fixtures attached to the real estate of which notice may not be given by a financing statement that has not been filed of record.

33. You should determine whether any solid waste, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites, or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shown in the Abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state, or local laws. These laws may impose liens against the property and personal liability against the Owner, even though the Owner did nothing to create the condition and acquired the property without knowing about it.

34. If there is a private sewage disposal system on the property, the Owner/Seller must comply with the Transfer Inspection Law regarding private sewage disposal systems.

35. Iowa Code Chapter 558A requires a person interested in transferring real property, or a broker or salesperson acting on behalf of the person, to deliver a written disclosure statement to the person interested in being transferred the real property; the disclosure statement must be delivered prior to either the transferor making a written offer for the transfer of the real property, or accepting a written offer for the transfer of the real property; the disclosure statement is required to comply with Iowa Code Section 558A.4; you should have received a real estate disclosure statement consistent with Chapter 558A of the Iowa Code from the Seller, or, if not received, you should insist upon receiving the disclosure statement which complies with Chapter 558A of the Iowa Code.

36. This Title Opinion is intended only for the benefit of Patricia A. Dede and Edward Schmidt. No one else may rely on it without the prior written approval of the undersigned.

Based entirely upon my examination of the Abstract, I am of the opinion that upon receiving good and sufficient Warranty Deed from Patricia A. Dede, and spouse, if any, and Edward Schmidt, and spouse, if any, after the matter set forth herein have been corrected, that you should have good and sufficient merchantable title to the above-described real estate pursuant to the Land Title Standards of the Iowa State Bar Association.

Very truly yours,

SWIFT LAW FIRM

By _____
Daniel H. Swift

DHS/sas
Encl.

-74-continued

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.

/s/ Beverly L. Schneider, Affiant

Signed and sworn to (or affirmed) before me on Donna M. Kunde, by Beverly L. Schneider as Trustee of the Beverly L. Schneider Declaration of Trust dated May 31, 2002.

/s/ Donna M. Kunde, Notary Public (Seal)

2/25/19

-75-

PLAT

Plat Of Survey
Parcel 2018-41, Part Of The SW 1/4
And Part Of The SE 1/4 Parcel 2018-42,
Part Of The SW 1/4 And Part Of The
SE 1/4 All In Section 23, T88N, R5W Of
The Fifth P.M., Delaware County, Iowa

Dated December 14, 2018
Filed December 14, 2018
Book 2018, Page 3523

SHEET 1 OF 2 is shown on Page 9 hereof.
SHEET 2 is shown on Page 10 hereof.
(Shown for reference only.)

-75-continued

COUNTY: DELAWARE
SECTION 23, T 88 N, R 5W
ALIQUOT PART: NE 1/4-SW 1/4, SE 1/4-SW 1/4
NW 1/4-SE 1/4, NE 1/4-SE 1/4, SE 1/4-SE 1/4, SW 1/4-SE 1/4
CITY:
SURVEY: PARCEL 2018-41 & PARCEL 2018-42
BLOCK: LOTS:
PROPRIETOR: PATRICIA DEDE & ED SCHMIDT
BEVERLY L. SCHNEIDER, TRUSTEE OF BEVERLY L. SCHNEIDER DECLARATION OF TRUST
REQUESTED BY: BRUCE SCHNEIDER
SURVEYOR: RANDALL L. RATTENBORG
COMPANY: BURRINGTON, GROUP, INC.
105 W. MAIN STREET, MANCHESTER, IA 52057
INFO@BURRINGTONGROUP.COM 563-927-2434

FILED
Delaware Co. Assessor
DEC 14 2018

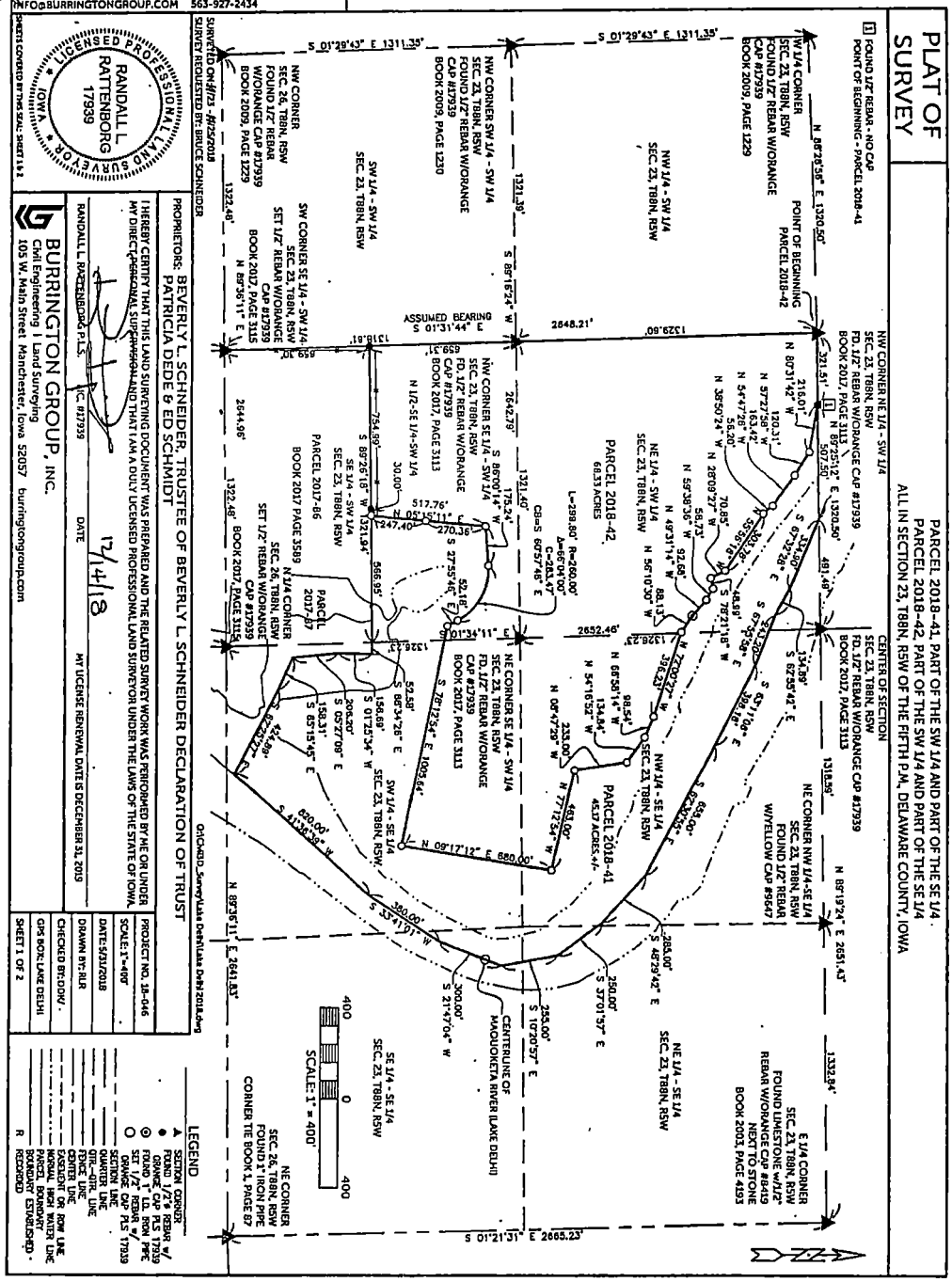
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Delaware Co. Auditor
DEC 14 2018

Book 2018 Page 3523
Document 2018 3523 Type 06 002 Pages 2
Date 12/14/2018 Time 2:26:37PM
Rec Amt $12.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PLAT OF SURVEY

PARCEL 2018-41, PART OF THE SW 1/4 AND PART OF THE SE 1/4
PARCEL 2018-42, PART OF THE SW 1/4 AND PART OF THE SE 1/4
ALL IN SECTION 23, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



SURVEYED ON: 11/21 - 11/25/2018
SURVEY REQUESTED BY: BRUCE SCHNEIDER

PROPRIETORS: BEVERLY L. SCHNEIDER, TRUSTEE OF BEVERLY L. SCHNEIDER DECLARATION OF TRUST
PATRICIA DEDE & ED SCHMIDT

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE 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.

RANDALL L. RATTENBORG, P.L.S. LIC. #17939 DATE 12/14/18 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019

PROJECT NO.: 18-046
SCALE: 1"=400'
DATE: 9/21/2018
DRAWN BY: RLR
CHECKED BY: DDW
GPS BOOK: LAKE DELH
SHEET 1 OF 2

BURRINGTON GROUP, INC.
Civil Engineering | Land Surveying
105 W. Main Street Manchester, Iowa 52057 burringtongroup.com

LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L RATTENBORG
17939
IOWA
SHEETS COVERED BY THIS SEAL: SHEET 1 & 2

-75-continued

PARCEL 2018-41, PART OF THE SW 1/4 AND PART OF THE SE 1/4
PARCEL 2018-42, PART OF THE SW 1/4 AND PART OF THE SE 1/4
ALL IN SECTION 23, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

PARCEL 2018-41, PART OF THE SE 1/4 AND PART OF THE SW 1/4 OF SECTION 23, TOWNSHIP 88 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 45.17 acres, more or less, subject to easements of record, and more particularly described by metes and bounds as follows:

COMMENCING at the Northwest Corner of the NE 1/4 of the SW 1/4 of Section 23, Township 88 North, Range 5 West of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Northerly Line of the NE 1/4 of the SW 1/4 of said Section 23, North 89° 25' 12" East, 321.51 feet to the POINT OF BEGINNING;

THENCE North 89° 25' 12" East, 507.50 feet to the centerline of the Maquoketa River (Lake Delhi);

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 67° 32' 28" East, 334.90 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 62° 55' 42" East, 134.89 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 67° 55' 58" East, 243.20 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 63° 11' 06" East, 398.18 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 62° 30' 55" East, 655.00 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 48° 29' 42" East, 285.00 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 37° 01' 57" East, 250.00 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 10° 20' 57" East, 255.00 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 21° 47' 04" West, 300.00 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 33° 41' 01" West, 380.00 feet;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 41° 36' 39" West, 820.00 feet, to the Northerly Line of Parcel 2017-87, as recorded in Book 2017, Page 3589 in the Office of the Delaware County Recorder;

THENCE along the Northerly Line of said Parcel 2017-87, North 62° 25' 27" West, 424.89 feet;

THENCE continuing along the Northerly Line of said Parcel 2017-87, North 65° 15' 45" West, 158.31 feet;

THENCE continuing along the Northerly Line of said Parcel 2017-87, North 05° 27' 09" West, 206.20 feet;

THENCE continuing along the Northerly Line of said Parcel 2017-87, North 01° 25' 34" East, 156.69 feet;

THENCE continuing along the Northerly Line of said Parcel 2017-87, North 86° 34' 26" West, 52.58 feet to the Southerly Line of the North half of the SE 1/4 of the SW 1/4 of said Section 23;

THENCE continuing along the Northerly Line of said Parcel 2017-87 and Parcel 2017-86, and the along the Southerly Line of the North half of the SE 1/4 of the SW 1/4, South 89° 26' 18" West, 566.95 feet;

THENCE North 05° 15' 11" East, 517.76 feet;

THENCE North 86° 00' 14" East, 175.24 feet;

THENCE 299.80 feet along a 260.00 feet radius curve concave southerly, having a central angle of 66° 04' 00", a chord length of 283.47 feet, and a chord bearing of South 60° 57' 46" East;

THENCE South 27° 55' 46" East, 52.18 feet;

THENCE South 78° 12' 54" East, 1005.64 feet;

THENCE North 09° 17' 12" East, 680.00 feet;

THENCE North 77° 12' 54" West, 463.00 feet;

THENCE North 08° 47' 29" West, 235.00 feet;

THENCE North 54° 16' 52" West, 134.84 feet;

THENCE North 66° 58' 14" West, 98.54 feet;

THENCE North 72° 00' 27" West, 396.23 feet;

THENCE North 56° 10' 30" West, 88.13 feet;

THENCE North 49° 31' 14" West, 92.68 feet;

THENCE North 59° 38' 36" West, 58.73 feet;

THENCE South 78° 21' 18" West, 48.99 feet;

THENCE North 28° 09' 27" West, 70.85 feet;

THENCE North 55° 56' 18" West, 303.78 feet;

THENCE North 38° 50' 24" West, 56.20 feet;

THENCE North 54° 47' 26" West, 163.42 feet;

THENCE North 57° 27' 58" West, 120.31 feet;

THENCE North 80° 31' 42" West, 216.01 feet to the to the POINT OF BEGINNING;

LEGAL DESCRIPTION:

PARCEL 2018-42, PART OF THE SE 1/4 AND PART OF THE SW 1/4 OF SECTION 23, TOWNSHIP 88 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 68.33 acres, more or less, subject to easements of record, and more particularly described by metes and bounds as follows:

BEGINNING at the Northwest Corner of the NE 1/4 of the SW 1/4 of Section 23, Township 88 North, Range 5 West of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Northerly Line of the NE 1/4 of the SW 1/4 of said Section 23, North 89° 25' 12" East, 321.51 feet;

THENCE South 80° 31' 42" East, 216.01 feet;

THENCE South 57° 27' 58" East, 120.31 feet;

THENCE South 54° 47' 26" East, 163.42 feet;

THENCE South 38° 50' 24" East, 56.20 feet;

THENCE South 55° 56' 18" East, 303.78 feet;

THENCE South 28° 09' 27" East, 70.85 feet;

THENCE North 78° 21' 18" East, 48.99 feet;

THENCE South 59° 38' 36" East, 58.73 feet;

THENCE South 49° 31' 14" East, 92.68 feet;

THENCE South 56° 10' 30" East, 88.13 feet;

THENCE South 72° 00' 27" East, 396.23 feet;

THENCE South 66° 58' 14" East, 98.54 feet;

THENCE South 54° 16' 52" East, 134.84 feet;

THENCE South 08° 47' 29" East, 235.00 feet;

THENCE South 77° 12' 54" East, 463.00 feet;

THENCE South 09° 17' 12" West, 680.00 feet;

THENCE North 78° 12' 54" West, 1005.64 feet;

THENCE North 27° 55' 46" West, 52.18 feet;

THENCE 299.80 feet along a 260.00 feet radius curve concave southerly, having a central angle of 66° 04' 00", a chord length of 283.47 feet, and a chord bearing of North 60° 57' 46" West;

THENCE South 86° 00' 14" West, 175.24 feet;

THENCE South 05° 15' 11" West, 517.76 feet to the Southerly Line of the North one-half (N ½) of the SE 1/4 of the SW 1/4 of said Section 23, also being the Northerly Line of Parcel 2017-86, as recorded in Book 2017, Page 3589

THENCE along the Southerly Line of the North one-half (N ½) of the SE 1/4 of the SW 1/4 of said Section 23, also being the Northerly Line of said Parcel 2017-86, South 89° 26' 18" West, 754.99 feet, to the Westerly Line of the SE 1/4 of the SW 1/4 of said Section 23;

THENCE along the Westerly Line of the SE 1/4 of the SW 1/4 of said Section 23, North 01° 31' 44" West, 659.31 feet, to the Northwest Corner of the SE 1/4 of the SW 1/4 of said Section 23;

THENCE along the Westerly Line of the NE 1/4 of the SW 1/4 of said Section 23, North 01° 31' 44" West, 1329.60 feet to the POINT OF BEGINNING;

The Westerly Line of the NE 1/4 of the SW 1/4 and the Westerly Line of the SE 1/4 of the SW 1/4 of Section 23, Township 88 North, Range 5 West of the Fifth Principal Meridian, Delaware County, Iowa for Parcel 2018-41 and Parcel 2018-42 is assumed to bear South 01° 31' 44" East.

TRACT	PARCEL 2018-41	PARCEL 2018-42
NE 1/4 - SW 1/4	4.80	34.24
SE 1/4 - SW 1/4	5.87	14.19
NE 1/4 - SE 1/4	0.80	0
NW 1/4 - SE 1/4	12.89	10.06
SE 1/4 - SE 1/4	1.11	0
SW 1/4 - SE 1/4	19.70	9.84
TOTAL	45.17	68.33

Exhibit "B"

CONTINUATION NO. 78552

CONTINUATION OF AN ABSTRACT OF TITLE TO: Parcel 2017-87; Part Of The S 1/2-SE 1/4-SW 1/4, SW 1/4-SE 1/4 Of Sec. 23; Part Of The NE 1/4-NW 1/4, SE 1/4-NW 1/4, NW 1/4-NE 1/4 Of Sec. 26; All In T88N, R5W Of The Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2017, Page 3589, from the 29th day of September, 2017, at 8:00 o'clock A.M. to the 16th day of March, 2021, at 8:00 o'clock A.M.

-72-

PLAT

Plat Of Survey
Parcel 2017-86; Part Of The S 1/2-SE 1/4-SW 1/4 Of Sec. 23, & Part Of The NE 1/4-NW 1/4, SE 1/4-NW 1/4 Of Sec. 26; Parcel 2017-87; Part Of The S 1/2-SE 1/4-SW 1/4, SW 1/4-SE 1/4 Of Sec. 23; Part Of The NE 1/4-NW 1/4, SE 1/4-NW 1/4, NW 1/4-NE 1/4 Of Sec. 26; All In T88N, R5W Of The Fifth P.M., Delaware County, Iowa

Dated December 28, 2017
Filed December 29, 2017
Book 2017, Page 3589

SHEET 1 OF 4 is shown on Page 2 hereof.
SHEET 2 is shown on Page 3 hereof.
SHEET 3 is shown on Page 4 hereof.
SHEET 4 is shown on Page 5 hereof.

-72-continued

COUNTY: DELAWARE
SECTION 23, T88 N, R5W, SECTION 26, T88N, R5W
ALIQUOT PART: SE 1/4-SW 1/4 & SW 1/4-SE 1/4, SEC. 23
NE 1/4-NW 1/4, SE 1/4-NW 1/4, NW 1/4-NE 1/4, SEC. 26
CITY:
SUBDIVISION: PARCEL 2017-86 & PARCEL 2017-87
BLOCK:
LOTS:
PROPRIETOR: ED SCHMIDT, PATRICIA DEDE
REQUESTED BY: ED SCHMIDT, PATRICIA DEDE

Filed Delaware Co. Assessor
DEC 29 2017

FILED
Delaware Co. Auditor
DEC 29 2017

Book 2017 Page 3589
Document 2017 3589 Type 06 002 Pages 4
Date 12/29/2017 Time 8:22:23AM
Rec Amt $22.00

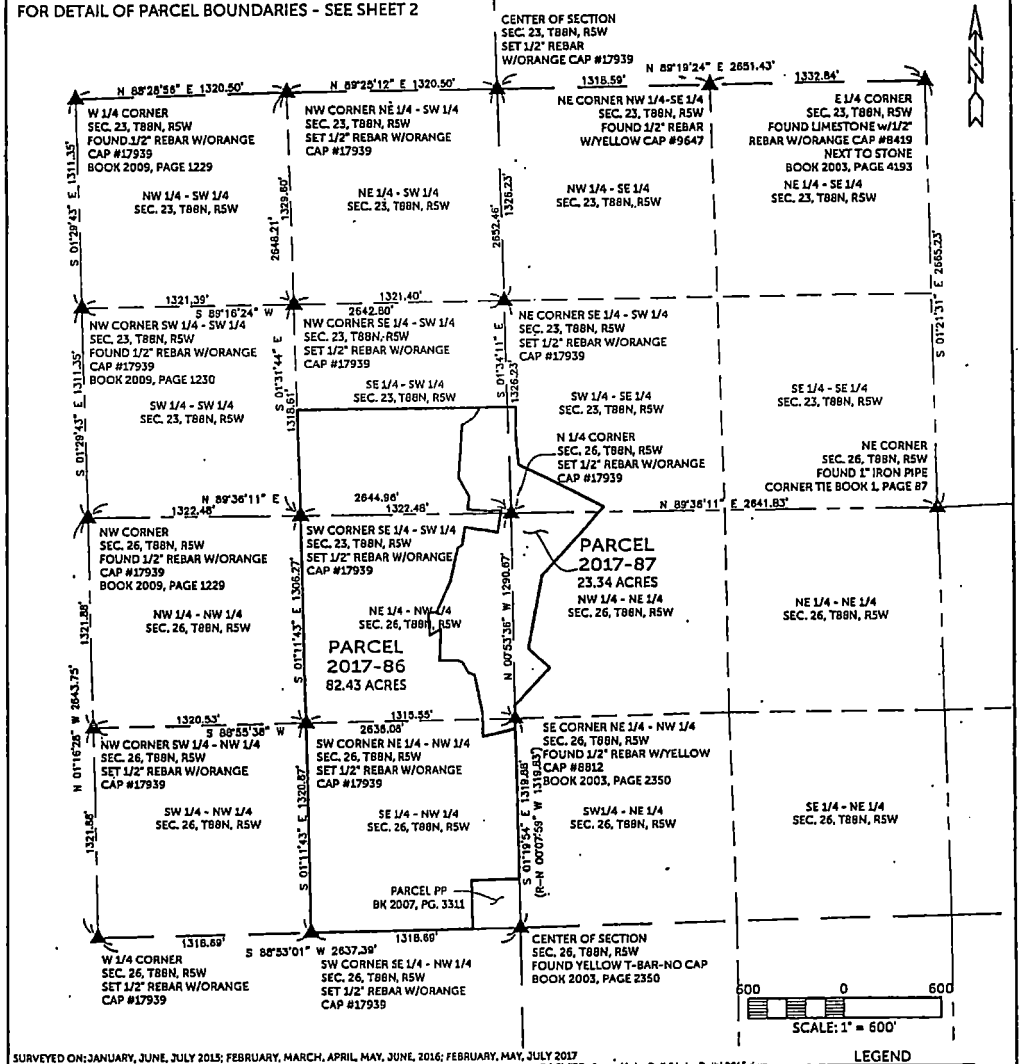
Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY/RETURN TO: RANDALL L. RATTENBORG 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

PLAT OF SURVEY

PARCEL 2017-86; PART OF THE S 1/2-SE 1/4-SW 1/4 OF SEC. 23, & PART OF THE NE 1/4-NW 1/4, SE 1/4-NW 1/4 OF SEC. 26;
PARCEL 2017-87; PART OF THE S 1/2-SE 1/4-SW 1/4, SW 1/4-SE 1/4 OF SEC. 23; PART OF THE NE 1/4-NW 1/4, SE 1/4-NW 1/4, NW 1/4-NE 1/4 OF SEC. 26;
ALL IN T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

FOR DETAIL OF PARCEL BOUNDARIES - SEE SHEET 2



SURVEYED ON: JANUARY, JUNE, JULY 2015; FEBRUARY, MARCH, APRIL, MAY, JUNE, 2016; FEBRUARY, MAY, JULY 2017
SURVEY REQUESTED BY: ED SCHMIDT, PATRICIA DEDE
O:\CM13D_Survey\Lake Delhi\Lake Delhi 2015.dwg

LEGEND
- ▲ SECTION CORNER
- ● FOUND 1/2"ø REBAR w/ ORANGE CAP #17939
- ⊙ FOUND 2" I.D. IRON PIPE
- ○ SET 1/2" REBAR w/ ORANGE CAP PLS 17939
- SECTION LINE
- QUARTER LINE
- QTR.-QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- 1927 INTERSTATE POWER LINE
- FENCE LINE
- NORMAL HIGH WATER LINE
- RANDOM/FRONTAGE LINE
- BOUNDARY ESTABLISHED
- R RECORDED

LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L. RATTENBORG 17939
IOWA

SHEETS COVERED BY THIS SEAL: 1-4

PROPRIETORS: ED SCHMIDT, PATRICIA DEDE

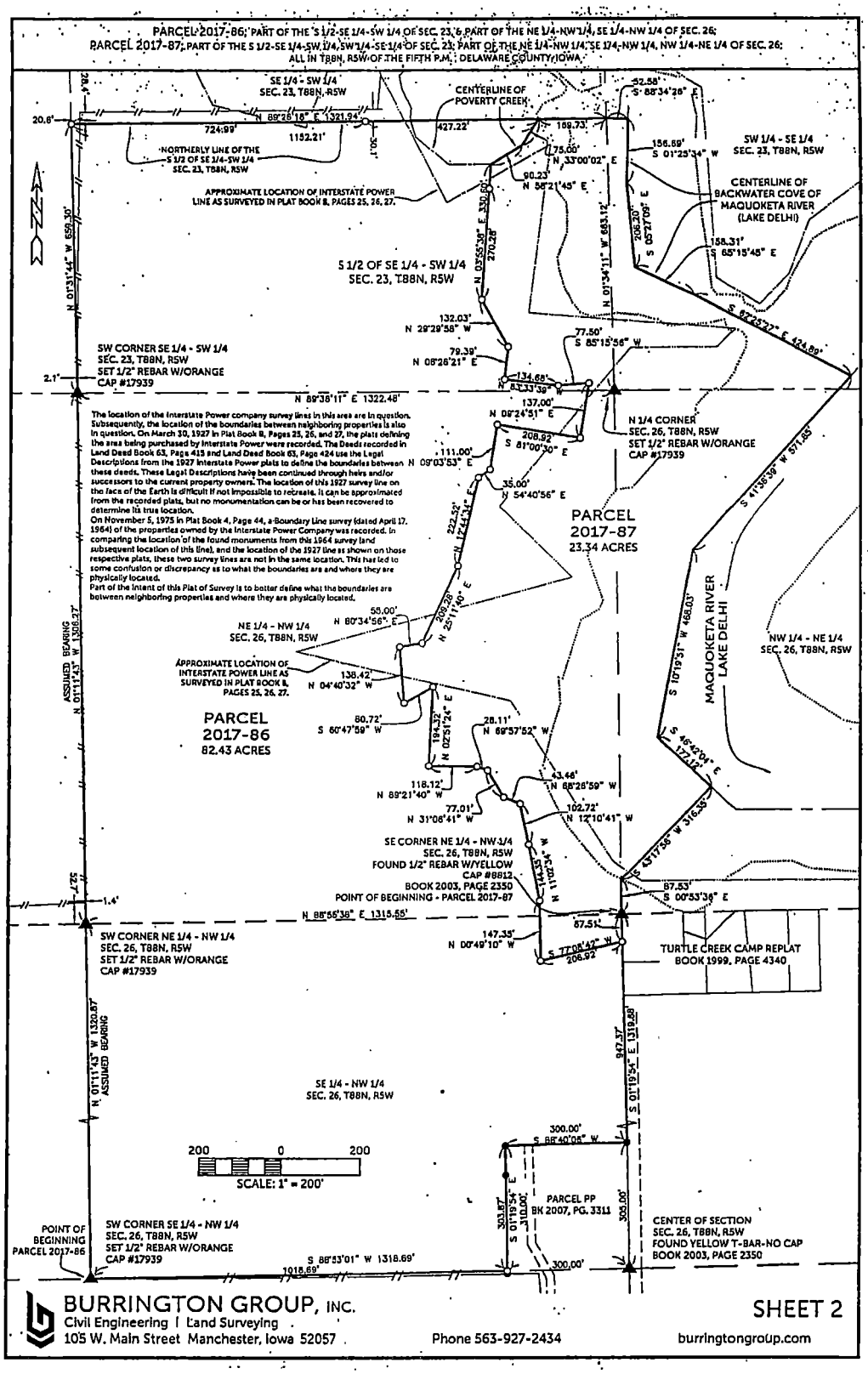
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

12/28/17
RANDALL L. RATTENBORG P.L.S. LIC. #17939 DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017

BURRINGTON GROUP, INC.
Civil Engineering | Land Surveying
105 W. Main Street Manchester, Iowa 52057 burringtongroup.com

PROJECT NO. 14-117
SCALE: 1"=600', 200'
DATE: 9/22/2017
DRAWN BY: RLR
CHECKED BY: DDK/DDM
GPS BOX: LAKE DELHI
SHEET 1 OF 4

-72-continued



-72-continued

PARCEL 2017-86; PART OF THE S 1/2-SE 1/4-SW 1/4 OF SEC. 23, & PART OF THE NE 1/4-NW 1/4, SE 1/4-NW 1/4 OF SEC. 26;
PARCEL 2017-87; PART OF THE S 1/2-SE 1/4-SW 1/4, SW 1/4-SE 1/4 OF SEC. 23; PART OF THE NE 1/4-NW 1/4, SE 1/4-NW 1/4, NW 1/4-NE 1/4 OF SEC. 26;
ALL IN T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

PARCEL 2017-86: Part of the S ½ of the SE ¼ of the SW ¼ of Section Twenty-three (23), also part of the NE ¼ of the NW ¼, part of the SE ¼ of the NW ¼, of Section Twenty-six (26), all in Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, containing 82.43 acres, subject to easements of record, and more particularly described by metes and bounds as follows:

BEGINNING at the Southwest Corner of the SE ¼ of the NW ¼ of Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of the SE ¼ of the NW ¼ of Section Twenty-six (26), North 01° 11' 43" West, 1320.87 feet, to the SW Corner of the NE ¼ of the NW ¼ of said Section Twenty-six (26);

THENCE along the Westerly Line of the NE ¼ of the NW ¼ of Section Twenty-six (26), North 01° 11' 43" West, 1306.27 feet, to the Southwest Corner of the SE ¼ of the SW ¼ of Section Twenty-three (23), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of the SE ¼ of the SW ¼ of said Section Twenty-three (23), North 01° 31' 44" West, 659.30 feet to the Northerly Line of the S ½ of the SE ¼ of the SW ¼;

THENCE along the Northerly Line of the S ½ of the SE ¼ of the SW ¼ of said Section Twenty-three (23), North 89° 26' 18" East, 1152.21 feet;

THENCE South 33° 00' 02" West, 75.00 feet;

THENCE South 58° 21' 45" West, 90.23 feet;

THENCE South 03° 55' 38" West, 330.60 feet;

THENCE South 29° 29' 58" East, 132.03 feet;

THENCE South 06° 26' 21" West, 79.39 feet;

THENCE South 83° 33' 39" East, 134.68 feet;

THENCE North 85° 15' 56" East, 77.50 feet;

THENCE South 09° 24' 51" West, 137.00 feet;

THENCE North 81° 00' 30" West, 208.92 feet;

THENCE South 09° 03' 53" West, 111.00 feet;

THENCE South 54° 40' 56" West, 35.00 feet;

THENCE South 12° 44' 34" West, 222.52 feet;

THENCE South 25° 11' 40" West, 209.28 feet;

THENCE South 80° 34' 56" West, 55.00 feet;

THENCE South 04° 40' 32" East, 138.42 feet;

THENCE North 60° 47' 59" East, 80.72 feet;

THENCE South 02° 51' 24" West, 194.32 feet;

THENCE South 89° 21' 40" East, 118.12 feet;

THENCE South 69° 57' 52" East, 28.11 feet;

THENCE South 31° 06' 41" East, 77.01 feet;

THENCE South 68° 26' 59" East, 43.46 feet;

THENCE South 12° 10' 41" East, 102.72 feet;

THENCE South 11° 02' 34" East, 144.35 feet;

THENCE South 00° 49' 10" East, 147.35 feet;

THENCE North 77° 08' 42" East, 206.92 feet to the Easterly Line of the SE ¼ of the NW ¼ of said Section Twenty-six (26);

THENCE along the Easterly Line of the SE ¼ of the NW ¼ of said Section Twenty-six (26), South 01° 19' 54" East, 947.37 feet, to the Northerly Line of Parcel PP, as recorded in Book 2007, Page 3311 in the Office of the Delaware County Recorder;

THENCE along the Northerly Line of said Parcel PP, South 88° 40' 06" West, 300.00 feet to the Northwest Corner of said Parcel PP;

THENCE along the Westerly Line of said Parcel PP, South 01° 19' 54" East, 303.87 feet, to the Southerly Line of the SE ¼ of the NW ¼ of said Section Twenty-six (26);

THENCE along the Southerly Line of the SE ¼ of the NW ¼ of said Section Twenty-six (26), South 88° 53' 01" West, 1018.69 feet to the POINT OF BEGINNING;

PARCEL 2017-86	
SECTION 23	
SE 1/4 - SW 1/4	15.86 ACRES
SW 1/4 - SE 1/4	0.00 ACRES
SECTION 26	
NE 1/4 - NW 1/4	29.15 ACRES
NW 1/4 - NE 1/4	0.00 ACRES
SE 1/4 - NW 1/4	37.42 ACRES
TOTAL ACRES	82.43 ACRES

-72-continued

PARCEL 2017-86; PART OF THE S 1/2-SE 1/4-SW 1/4 OF SEC. 23, & PART OF THE NE 1/4-NW 1/4, SE 1/4-NW 1/4 OF SEC. 26;
PARCEL 2017-87; PART OF THE S 1/2-SE 1/4-SW 1/4, SW 1/4-SE 1/4 OF SEC. 23; PART OF THE NE 1/4-NW 1/4, SE 1/4-NW 1/4, NW 1/4-NE 1/4 OF SEC. 26;
ALL IN T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

PARCEL 2017-87: Part of the S ½ of the SE ¼ of the SW ¼, and part of the SW ¼ of the SE ¼ of Section Twenty-three (23), also part of the NE ¼ of the NW ¼, part of the SE ¼ of the NW ¼, and part of the NW ¼ of the NE ¼ of Section Twenty-six (26), all in Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, containing 23.34 acres, subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the Southeast Corner of the NE ¼ of the NW ¼ of Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Easterly Line SE ¼ of the NW ¼ of said Section Twenty-six (26), South 01° 19' 54" East, 67.51 feet;

THENCE South 77° 08' 42" West, 206.92 feet;

THENCE North 00° 49' 10" West, 147.35 feet;

THENCE North 11° 02' 34" West, 144.35 feet;

THENCE North 12°10' 41" West, 102.72 feet;

THENCE North 68° 26' 59" West, 43.46 feet;

THENCE North 31° 06' 41" West, 77.01 feet;

THENCE North 69° 57' 52" West, 28.11 feet;

THENCE North 89° 21' 40" West, 118.12 feet;

THENCE North 02° 51' 24" East, 194.32 feet;

THENCE South 60° 47' 59" West, 80.72 feet;

THENCE North 04° 40' 32" West, 138.42 feet;

THENCE North 80° 34' 56" East, 55.00 feet;

THENCE North 25° 11' 40" East, 209.28 feet;

THENCE North 12° 44' 34" East, 222.52 feet;

THENCE North 54° 40' 56" East, 35.00 feet;

THENCE North 09° 03' 53" East, 111.00 feet;

THENCE South 81° 00' 30" East, 208.92 feet;

THENCE North 09° 24' 51" East, 137.00 feet;

THENCE South 85° 15' 56" West, 77.50 feet;

THENCE North 83° 33' 39" West, 134.68 feet;

THENCE North 06° 26' 21" East, 79.39 feet;

THENCE North 29° 29' 58" West, 132.03 feet;

THENCE North 03° 55' 38" East, 330.60 feet;

THENCE North 58° 21' 45" East, 90.23 feet;

PARCEL 2017-87	
SECTION 23	
SE 1/4 - SW 1/4	4.20 ACRES
SW 1/4 - SE 1/4	2.80 ACRES
SECTION 26	
NE 1/4 - NW 1/4	10.17 ACRES
NW 1/4 - NE 1/4	5.76 ACRES
SE 1/4 - NW 1/4	0.41 ACRES
TOTAL ACRES	23.34 ACRES

THENCE North 33° 00' 02" East, 75.00 feet to the Northerly Line of the S ½ of the SE ¼ of the SW ¼ of said Section Twenty-three (23);

THENCE along the Northerly Line of the S ½ of the SE ¼ of the SW ¼ of said Section Twenty-three (23), North 89° 26' 18" East, 169.73 feet to the Easterly Line of the S ½ of the SE ¼ of the SW ¼ of said Section Twenty-three (23);

THENCE along a line perpendicular to the center of a backwater cove of the Maquoketa River, South 88° 34' 26" East, 52.58 feet, more or less;

THENCE along the centerline of a backwater cove on the Maquoketa River, South 01° 25' 34" West, 156.69 feet, more or less;

THENCE continuing along the centerline of a backwater cove on the Maquoketa River, South 05° 27' 09" East, 206.20 feet, more of less;

THENCE continuing along the centerline of a backwater cove on the Maquoketa River, South 65° 15' 45" East, 158.31 feet, more of less;

THENCE continuing along the centerline of a backwater cove on the Maquoketa River, South 62° 25' 27" East, 424.89 feet, more of less to the centerline of the Maquoketa River (Lake Delhi);

THENCE along the centerline of the Maquoketa River (Lake Delhi), South 41°36' 39" West, 571.85 feet, more or less;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 10° 19' 51" West, 468.03 feet, more or less;

THENCE continuing along the centerline of the Maquoketa River (Lake Delhi), South 46° 42' 04" East, 177.12 feet, more or less;

THENCE South 43° 17' 56" West, 316.35 feet, to the Easterly Line of the NE ¼ of the NW ¼ of said Section Twenty-six (26);

THENCE along the Easterly Line of the NE ¼ of the NW ¼ of said Section Twenty-six (26), South 00° 53' 36" East, 87.53 feet to the POINT OF BEGINNING;

Exhibit "C"

-60-

PLAT

Plat Of Survey
Parcel PP Part Of The SE 1/4 -
NW 1/4, And Part Of The NE 1/4 -
SW 1/4 Sec. 26, T88N, R5W Of The
Fifth P.M. Delaware County, Iowa

Dated October 10, 2007
Filed October 10, 2007
Book 2007, Page 3311

(The plat shown on Page 15 hereof has been mechanically reduced.)

(Shown for reference only.)

Delaware County Abstract Company, Inc.

-60-continued

FILED
OCT 10 2007
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

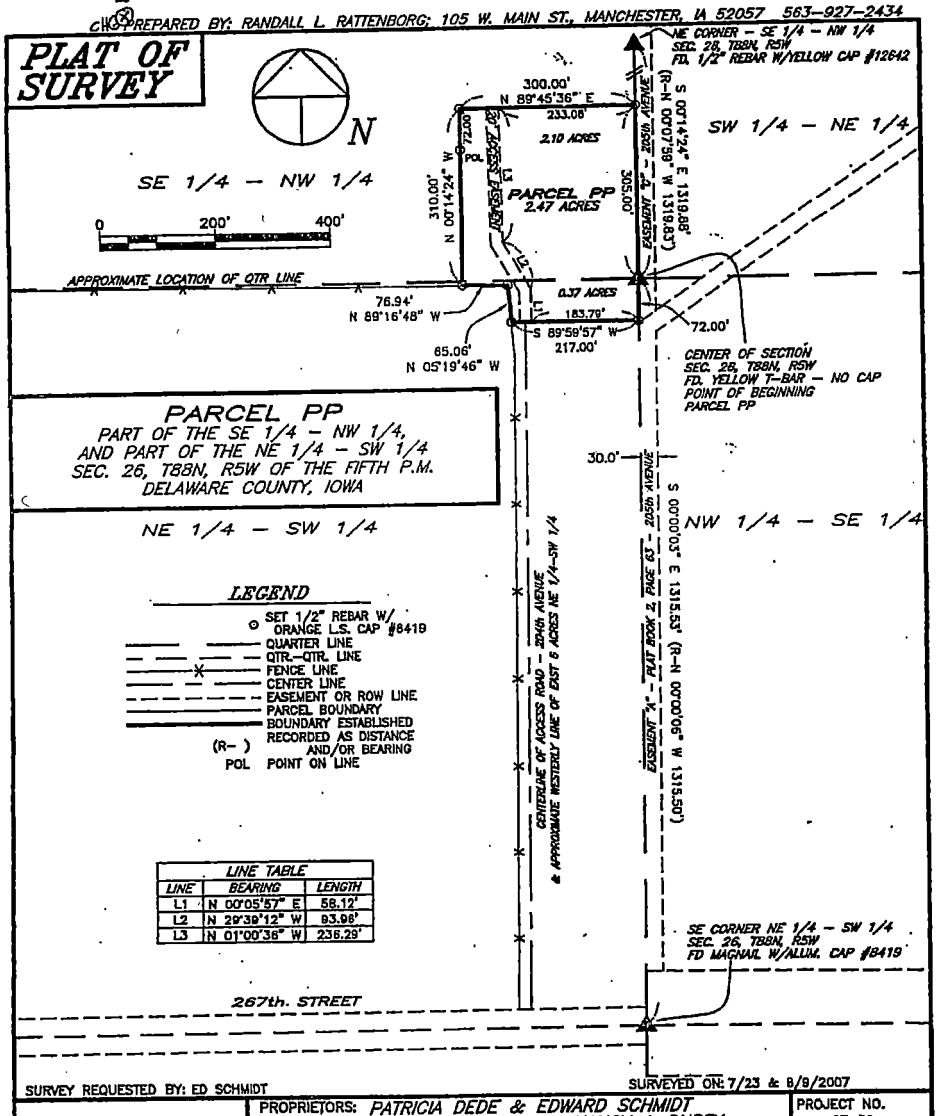
FILED
OCT 10 2007
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

Book 2007 Page 3311
Document 2007 3311 Type 06 002 Pages 2
Date 10/10/2007 Time 4:24:04PM
Rec Amt $12.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: RANDALL L. RATTENBORG; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

PLAT OF SURVEY



PARCEL PP

PART OF THE SE 1/4 — NW 1/4,
AND PART OF THE NE 1/4 — SW 1/4
SEC. 26, T88N, R5W OF THE FIFTH P.M.
DELAWARE COUNTY, IOWA

NE 1/4 — SW 1/4

LEGEND

- ⊙ SET 1/2" REBAR W/ ORANGE L.S. CAP #8419
- QUARTER LINE
- QTR.—QTR. LINE
- FENCE LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- (R-) RECORDED AS DISTANCE AND/OR BEARING
- POL POINT ON LINE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 00°05'57" E	58.12'
L2	N 29°39'12" W	83.98'
L3	N 01°00'36" W	236.29'

SURVEY REQUESTED BY: ED SCHMIDT

SURVEYED ON: 7/23 & 8/9/2007

PROPRIETORS: PATRICIA DEDE & EDWARD SCHMIDT
MICHAEL J. DUREY & NANCY J. DUREY

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

12/10/07

RANDALL L. RATTENBORG, L.S. LIC. #17939 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2007

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

GIBBS ENGINEERING & SURVEYING
105 WEST MAIN STREET
MANCHESTER, IA 52057

PROJECT NO.	07-39
SCALE:	1"=200'
DATE:	8/22/2007
DRAWN BY:	RLR
CHECKED BY:	JDG
GPS:	44
REVISED	
SHEET	1 OF 2

BOOK 2007 PAGE 3311

-56-continued

Also, the South twenty one (21) acres of the North three-fourths (N 3/4) of the West half (W½) of the Northwest Quarter (NW¼); and the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼); and the East six (6) acres of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); all in Section Twenty Six (26), Township Eighty Eight (88) North, Range Five (5), West of the Fifth P.M.

Election Of Surviving Spouse In Relation To Will filed November 7, 2000, wherein Nola Mae Schmidt, Surviving Spouse voluntarily elects to take under the provisions of the will.

Final Report approved and estate closed on January 17, 2001.

-57-

AFFIDAVIT OF SURVIVING SPOUSE
FOR CHANGE OF TITLE TO REAL ESTATE

Nola Mae Schmidt
to
Whom it may concern

Dated July 31, 2000
Filed January 23, 2001
Book 2001, Page 253

AFFIANT STATES: 1. I am the surviving spouse of Earl E. Schmidt, who died on the 19th day of July, 2000.

2. The following described real estate was owned only by Earl E. Schmidt and this Affiant, as joint tenants with full rights of survivorship at the time of Earl E. Schmidt's death: (Same real estate as listed under Schedule E in the Estate of Earl E. Schmidt, Deceased.)

3. x x x

-58-

PLAT

Plat Of Survey
East Line Of The SE 1/4 - NW 1/4,
Section 26, T88N, R5W, Of The Fifth
Principal Meridian, Delaware County, Iowa

Dated June 12, 2003
Filed June 13, 2003
Book 2003, Page 2863

(The plat shown on Page 10 hereof has been mechanically reduced.)

-58-continued

JUN 13 20..

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

JUN 13 2003

BOOK 3 PAGE 2863
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
6.00

2003 JN 13 PM 3:58

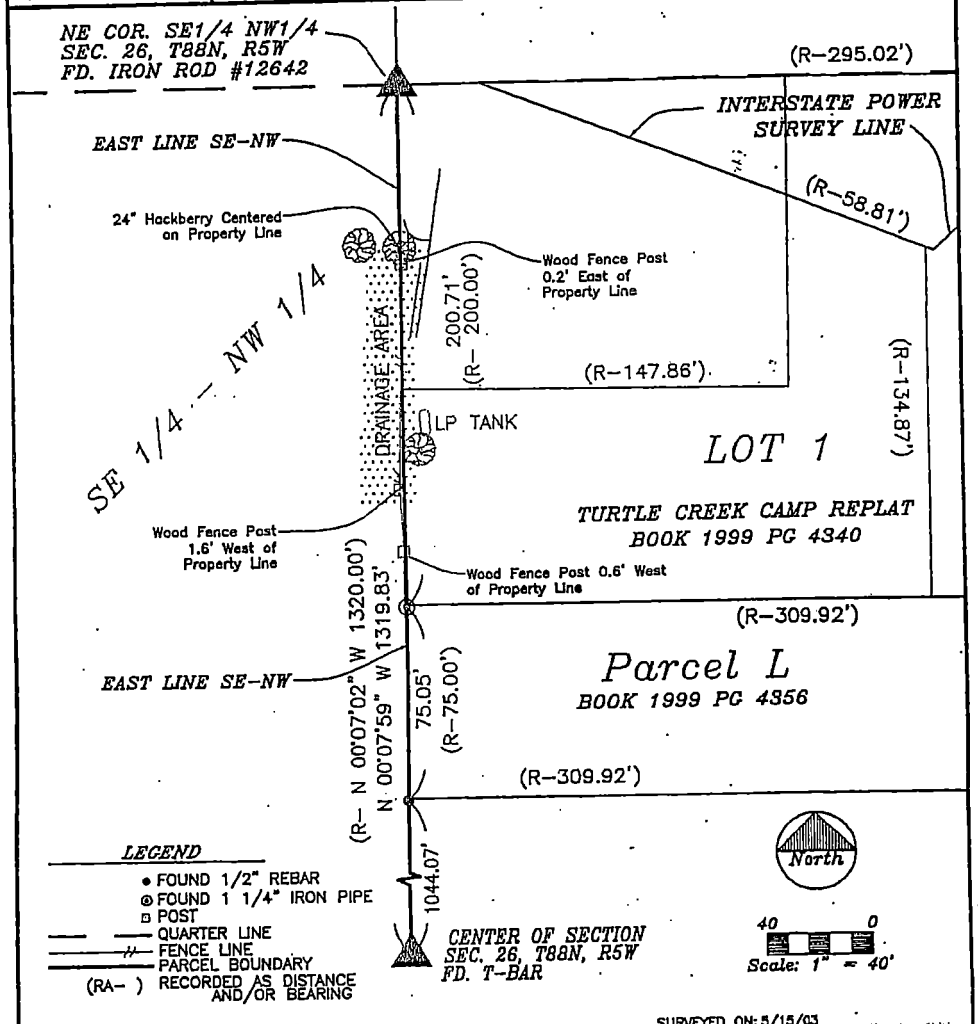
DELAWARE COUNTY IOWA
FILED

VH6

PREPARED BY: J DAVID GIBBS; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

PLAT OF SURVEY

EAST LINE OF THE SE 1/4 – NW 1/4, SECTION 26, T88N, R5W, OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA



SURVEY REQUESTED BY: NOLA SCHMIDT

SURVEYED ON: 5/15/03

PROPRIETORS: NOLA MAE SCHMIDT

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

J. David Gibbs 6/12/03

J. DAVID GIBBS, P.E./ L.S. LIC. #8419 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2004

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL

GIBBS ENGINEERING & SURVEYING
105 WEST MAIN STREET
MANCHESTER, IA 52057

PROJECT NO. 03–38
SCALE: 1"=40'
DATE: 5/16,5/19/03
DRAWN BY: TAG
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 1

BOOK 2003 PAGE 2863

-Caption-continued.

Also, that part of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Twenty Six (26), Township Eighty Eight (88) North, Range Five (5), West of the Fifth P.M., described as commencing at the Northwest corner of said Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of said Section Twenty Six (26), and running thence East one hundred forty eight (148.0) feet, thence South one hundred seventeen (117.0) feet, thence West one hundred forty eight (148.0) feet, thence North one hundred seventeen (117.0) feet to the place of beginning, from the 9th day of May, 1957, at 8:00 o'clock A.M. to the 31st day of December, 1973, at 8:00 o'clock A.M.

-26-
PATENT

United States of America
to
Truman W. Van Golder

Dated June 15, 1854
Filed September 27, 1971
Book 5, Patents, Page 450

GRANTS: The North West quarter of the North East quarter of Section Twenty Six, in Township Eighty eight North, of Range Five West, in the District of lands subject to sale at Dubuque, Iowa, containing Forty acres according to the Official Plat of the Survey of the said lands, returned to the General Land Office by the Surveyor General.

-27-
DRAINAGE AGREEMENT

Frank G. Heiserman, a single man, First Party
and
Earl J. Durey and Mary E. Durey, husband and wife, Second Party
and
Harold Glass Jr. and Kathlene Glass, husband and wife, Third Party

Dated December 30, 1969
Filed December 31, 1969
Consideration $1.00 & other
Book M, Misc., Page 106

Whereas the undersigned Frank G. Heiserman, a single man, hereinafter referred to as First Party is the owner of the following described property located in Delaware County to-wit:

Commencing at the Northwest (NW) corner of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Twenty-six (26), Township Eighty-eight (88) North, Range Five (5), West of the Fifth P.M. and running East One hundred forty-eight feet (148), thence South One hundred seventeen feet (117), thence West One hundred forty-eight feet (148), thence North one hundred seventeen feet (117) to place of beginning.

Commencing at a point Ten (10) rods West of the Northeast (NE) corner of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section Twenty-six (26), Township Eighty-eight (88) North, Range Five (5), West of the Fifth

-27-continued.

P.M., running thence West Seventy (70) rods, thence North Twenty-six (26) rods, thence East Sixty-two (62) rods, thence Southeast Twenty-seven and one-half (27½) rods to place of beginning, all of said land lying in the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Twenty-six (26), Township Eighty-eight (88) North, Range Five (5), West as aforesaid, and containing Ten and 725/1000 (10.725) acres more or less.

That part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Twenty-three (23), Township Eighty-eight (88) North, Range Five (5), West of the Fifth P.M., described as commencing at a point of beginning, which is the Southwest (SW) corner of the said Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Twenty-three (23), thence East along the South line of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) and the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) to a point of 213.6 feet East of the Southwest (SW) corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section Twenty-three (23), thence North 44 degrees 18 minutes East a distance of 62.5 feet, thence North 85 degrees 17 minutes West a distance of 507.3 feet, thence North 7 degrees 56 minutes East a distance of 413.8 feet, thence South 61 degrees 13 minutes West a distance of 293.5 feet, thence North 27 degrees 02 minutes West a distance of 522.5 feet, thence South 22 degrees 15 minutes West a distance of 300.2 feet, thence North 76 degrees 15 minutes West a distance of 237.0 feet, thence North 26 degrees 09 minutes West to a point on the South line of the North half of said Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Twenty-three (23), thence West along the South line of the North half of said Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Twenty-three (23) to the West line of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Twenty-three (23), thence South along the West line of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Twenty-three (23), to the Southwest (SW) corner thereof and the point of beginning; Also that part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) and the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Twenty-six (26), Township Eighty-eight (88) North, Range Five (5), West of the Fifth P.M., described as commencing at the point of beginning which is the Northwest (NW) corner of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of said Section Twenty-six (26), thence East along the North line of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of said Section Twenty-six (26), to the Northeast (NE) corner thereof, thence South 40 degrees 02 minutes West a distance of 505.7 feet, thence South 45 degrees 45 minutes East a distance of 250.9 feet, thence South 75 degrees 27 minutes West a distance of 709.8 feet, thence South 76 degrees 56 minutes East a distance of 546.2 feet, thence South 32 degrees 27 minutes East a distance of 469.9 feet, thence South 53 degrees 09 minutes East a distance of 87.2 feet, more or less, to a point on the South line of said Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of said Section Twenty-six (26), thence West along the South line of said Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) and the Northeast Quarter (NE¼) of the Northwest Quarter of said Section Twenty-six (26), to the Southwest (SW) corner of the said Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of said Section Twenty-six (26), thence North along the West line of said Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of said Section Twenty-six (26), to the Northwest (NW) corner thereof and the place of beginning except that part thereof heretofore deeded by Charles Thorpe to the grantee herein by deed recorded in Book 62 of Deeds on page 278 thereof of the records in the office of the Recorder of Delaware County, Iowa

-27-continued.

Whereas the undersigned Earl J. Durey and Mary E. Durey, husband and wife, hereinafter referred to as the Second Parties are the owners of the following described property located in Dealware County to-wit:

The North half (N½) of the Southwest Quarter (SW¼) except the East six (6) acres, and the South half of the Southwest Quarter (S½ SW¼) of the Northwest Quarter (NW¼) of Section Twenty-six (26); and the Northeast Quarter of the Southwest Quarter (NE¼ SW¼) and the Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of Section Twenty-seven (27), all in Township Eighty-eight (88) North, Range Five (5), West of the Fifth P.M.

Whereas the undersigned Harold Glass Jr. and Kathlene Glass, husband and wife, hereinafter referred to as the Third Parties are the contract purchasers of the following described property located in Delaware County to-wit:

Lot Two (2) of the Subdivision of part of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼); Lot Two (2) of the Subdivision of part of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼); and all of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) lying North and West of the public highways; all of the foregoing being in Section Twenty-five (25), Township Eighty-eight (88) North, Range Five (5), West of the Fifth P.M., and Lot Two (2) of the Subdivision of part of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼); Lot One (1) of the Subdivision of part of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼); Lot One (1) of the Subdivision of part of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) and the North half (N½) of the Southeast Quarter (SE¼); all in Section 26, Township Eighty-eight (88) North, Range Five, West of the Fifth P.M.

Whereas it is the desire of the above said parties to join in a mutual drainage agreement for the drainage of the above described real estate.

Now therefore in consideration of $1.00 and other good and valuable consideration including the proper drainage of the land above described owned by the respective parties and including the benefits which they mutually receive by reason of the installation of a proposed mutual drainage project do hereby jointly and severally bind themselves, their heirs, successors and assigns to the following provisions as set out herein.

1. Third Parties hereby grant to Second and First Parties a perpetual easement over, under and across a strip of ground located on the above properties, the center line of which shall be located at the points and along the course indicated on the attached plat of a proposed drainage system marked Exhibit "A" and by this reference made a part hereof sufficient in width for the purpose of installing and/or maintaining, repairing or replacing an 8-inch and 5-inch drain tile and protected outlet therefore and for the purpose of such ditch clean out as necessary now and/or in the future to maintain a free and open outlet, said drain tile to be connected to and used for the purpose of draining the above described real estate owned by the respective parties all as per attached Exhibit "A".

2. First and Second Parties in consideration of the granting of this easement agree to restore and replace any fencing of Third Parties which may be damaged or removed in the course of installation and/or maintaining, repairing or replacing said drain tile and to cause such installation and/or maintaining, repairing or replacing to be done in a good and workmanlike manner to not less than original standards of condition. This agreement regarding fence of Third Parties shall also apply to the 30' wide North-South road of Third Parties which must be crossed for installation.

-27-continued.

3. Said proposed drainage project is and will include all as described by the plat hereto attached and by reference in (1) above incorporated herein which plat being recognized by all parties, however as not drawn to scale but is described as follows to-wit:

Beginning at outlet in natural drainage ditch on Third Party property at a point approximately 650' South and 100' East of center of Section 26 Township Eighty-eight (88) North, Range Five (5) West of the Fifth P.M. and extending generally due West across properties of Third and First Parties as an 8-inch tile main to enter the Second Party property at a point approximately 650' North of SE Corner of said Second Party property.

Also beginning at junction with said 8-inch main a 5-inch sub-main extending generally Northwesterly for such distance as necessary to intercept existing tile entering Second Party property from First Party property.

4. It is the mutual understanding of the parties hereto that Second Party is designated as contracting agent and will serve as pooling agreement manager and will order materials, engage contractor, pay bills and receive ACP federal cost share funds allocated and/or earned by installation and will pay any and all expenses and costs incurred in said installation on the real estate of First, Second and Third Parties.

5. Parties further hereby agree to pay for the proposed project as follows:

a. First Party agrees to pay thirty per cent (30%) of all costs of materials and installation based on the final figures submitted by the U.S.D.A. Soil Conservation Service in Manchester, Iowa.

b. The above agreed upon sum in (a) shall be paid by First Party to Second Party within thirty days following completion and approval of said project.

c. Second Party agrees to pay seventy per cent (70%) of all costs of materials and installation based on the final figures submitted by the U.S.D.A. Soil Conservation Service in Manchester, Iowa.

6. Each party retains the right to extend and/or add additional tile sub-mains and laterals on his own property described herein.

7. First and Second Parties agree to share equally the responsibility and cost for any future maintenance and/or repair of the entire tile line herein and to promptly repair any defect that might adversely affect this mutual main system. It is further agreed that all parties hereto shall have the right of ingress and egress across the real estate of all other parties hereto to make inspection of any portion of the drainage system that they desire at any reasonable time to assure themselves of proper maintenance. Third Party shall have the right to repair and maintain any part of said line after giving 60 days notice in writing to First and Second Parties of the needed repair and/or maintenance and upon the said needed repair and/or maintenance not having been completed within said time. Third Party then shall charge all costs incurred therein to First and Second Parties equally.

8. It is further agreed by the parties hereto that the entire installation must conform with the plans and specifications of the U.S.D.A. Soil Conservation Service and that such adjustment in grades, location and tile sizes as may be necessitated at time of layout and survey will if approved by the U.S.D.A Soil Conservation Service be considered as meeting the provisions of this agreement

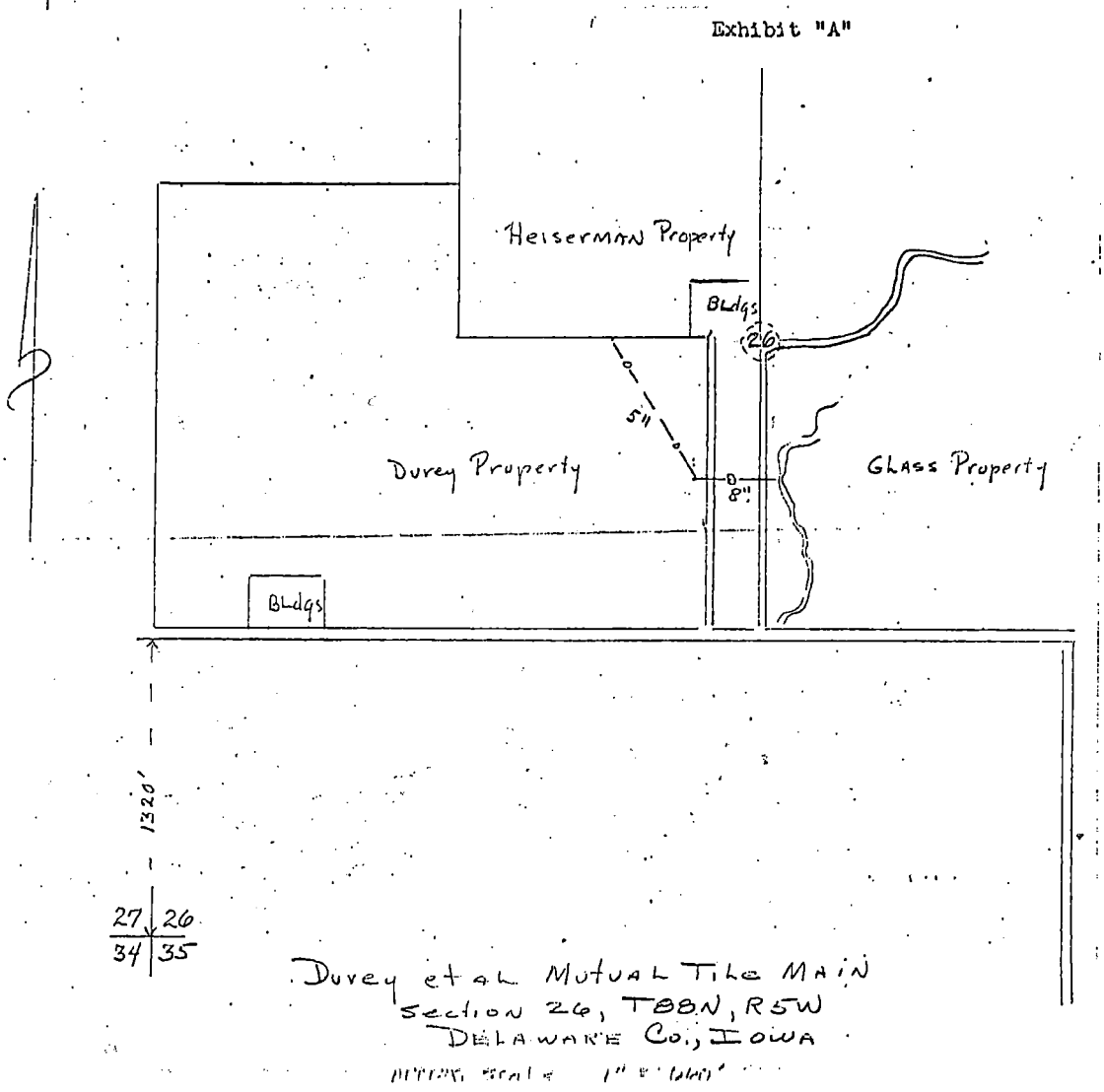
9. This agreement shall run with the real estate described herein and shall be binding on the heirs, successors and assigns of all of the parties hereto.

Subscribed and sworn to before me by Frank G. Heiserman, Earl J. Durey, Mary E. Durey, Harold Glass Jr. and Kathlene Glass this 30 day of December, 1969.

/s/ E. Michael Carr, Notary Public in and for Delaware County, Iowa (Seal)

(Plat shown on Page 6 hereof.)

-27-continued.



-28-
ESTATE

In the Matter of the Estate
of
Frank G. Heiserman, Deceased

In the District Court of
Delaware County, Iowa
Probate Case No. P-2
Probate Docket 24, Page 101

PETITION FOR PROBATE OF WILL AND APPOINTMENT OF EXECUTOR(S), duly verified, filed July 5, 1973, states that Frank G. Heiserman died at R #1, Manchester, Iowa, on the 18th day of June, 1973, then domiciled in and a resident of Delaware County, Iowa.

Exhibit "F"

THE DELAWARE COUNTY ABSTRACT COMPANY, INC., 304 E. MAIN ST., MANCHESTER, IOWA 52057

-22-

FENCE AGREEMENT

Marvin Logan
Viola Logan
and
Frank Heiserman

Dated November 5, 1953
Filed November 9, 1953
Book 1, Fence Decisions,
Page 16

This Agreement, entered into this 5th day of November, 1953, between Marvin Logan, as the owner of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-seven (27), and the North Thirty-nine (39) acres of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Twenty-six (26), Township Eighty-eight (88) North, Range Five (5) West of the Fifth P.M., in the County of Delaware, State of Iowa, said Marvin Logan being hereinafter referred to as first party, and Frank Heiserman, as the owner of the South Twenty-one (21) acres of the North Three-fourths (N 3/4) of the West one-half (W½) of the Northwest Quarter (NW¼) of Section Twenty-six (26) and the West one-fourth (W¼) of the East one-half (E½) of the Northwest Quarter (NW¼) of Section Twenty-six (26), Township Eighty-eight (88) North, Range Five (5) West of the Fifth P.M., in said county and state, said Frank Heiserman being hereinafter referred to as second party, Witnesseth:

That, in consideration of the premises and the maintenance of partition fences between their said lands, said parties hereby agree as follows:

1. That the fence now running along the South line of said North Thirty-nine (39) acres of said Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of said Section Twenty-six (26), is not on the line between the hereinbefore described parcels, and shall be removed and placed on said line between said parcels, whenever, at any future time, demand therefor shall be made by the owner of either of said parcels.

2. That first party shall maintain the West Forty (40) rods, and second party the East Forty (40) rods of the partition fence on the South line of said North 39 acres of said Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of said Section Twenty-six (26).

3. That second party shall maintain the South Thirty-eight (38) feet of the fence on the West line of said Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of said Section Twenty-six (26).

4. That first party shall maintain the South one-half (S½), and second party the North one-half (N½) of the partition fence on the East line of said North Thirty-nine (39) acres of said Northwest Quarter (NW¼) of Northwest Quarter (NW¼) of said Section Twenty-six (26).

5. That the duty to maintain, hereinbefore set forth, shall include the building, repairing and maintaining of that party of said partition fences concerned.

6. That each party of such partition fence shall be so built, repaired and maintained, so as to constitute a lawful fence under the laws of the State of Iowa, including a tight fence, and that in case the parties fail to agreed herein, they will abide by the determinations of the fence viewers of Milo Township, said county and state.