Recorded: 10/29/2026 at 12:53:14.0 PM
County Recording Fee: $17.00
Iowa E-Filing Fee: $3.00
Combined Fee: $20.00
Revenue Tax: $0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2026 PG: 3194

INDIVIDUAL TRUSTEE'S AFFIDAVIT
Recorder's Cover Sheet

Preparer Information:
Theresa E. Hoffman, 620 Lafayette St, Ste. 300, Waterloo, IA 50703, Tel: 319-234-1766

Taxpayer Information: Patrick W. Schmitz, PO Box 245, Delhi, Iowa 52223

Return Document To: Theresa E. Hoffman, 620 Lafayette St, Ste. 300, Waterloo, IA 50703

Grantors: Theresa A. Schmitz as Trustee of the Louis W. Schmitz Residuary Trust

Grantees: Patrick W. Schmitz

Legal Description: See Page 2

Document or instrument number of previously recorded documents:

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INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: See Attached Exhibit "A" - Legal Description

STATE OF IOWA, COUNTY OF BLACK HAWK, ss:

I, Theresa A. Schmitz, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1 I am the trustee under the Louis W. Schmitz Residuary Trust, to which the above-described real estate was conveyed to the trustee by Theresa A. Schmitz, successor Trustee of the Louis W. Schmitz Revocable Trust U/A dated October 28, 2009, pursuant to an instrument recorded June 30, 2020, in the office of the Delaware County Recorder in Book 2020, Page 2142.

2 I am the presently existing trustee under the Trust and I am authorized to sell, transfer and convey without any limitation or qualification whatsoever.

3 The Trust is in existence and I, as trustee, am authorized to transfer the interest in the real estate as described in paragraph 2, free and clear of any adverse claims.

4 The grantor of the trust is deceased.

5 Form 706, United States Estate Tax return is NOT required to be filed as a result of the death of the Grantor.

6 An Iowa Inheritance Tax return is NOT required to be filed pursuant to Section 450.22, Subsection 2 and 3 as a result of the death of the Grantor.

7 The trust is irrevocable and none of the beneficiaries of the trust are deceased.

Theresa A. Schmitz, Affiant

Signed and sworn to (or affirmed) before me on this 29th day of October, 2026, by Theresa A. Schmitz.

Signature of Notary Public

NOTARIAL SEAL IOWA
JENNIFER R OESTERLE
COMMISSION NO. 199696
MY COMMISSION EXPIRES
DECEMBER 15, 2028

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EXHIBIT "A"

ALL THE TRUST'S INTEREST IN:

LOT FOURTEEN (14) OF THE CEDARS SUBDIVISION OF THAT PART OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY EIGHT (88) NORTH, RANGE FIVE (5), WEST OF THE FIFTH PRINCIPAL MERIDIAN LYING EAST OF THE MAQUOKETA RIVER, ACCORDING TO PLAT RECORDED IN BOOK 2 PLATS, PAGES 91-92, SUBJECT TO ALL COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD, AND PARCEL B, PART OF LOT 34 OF THE CEDARS SUB-DIVISION IN THE W ½ OF THE SE ¼ OF SECTION 14, TOWNSHIP 88 NORTH, RANGE 5 OF THE FIFTH P.M., DELAWARE COUNTY, IOWA, PER PLAT RECORDED IN BK 8 PLATS PAGE 103.

AND

All lake frontage running to the middle of the Maquoketa River bed with regard to the following described real estate: Lot 14 of the Cedars Subdivision of that part of the Northwest Quarter of the Southeast Quarter of Section 14, Township 88 North, Range 5 West of the 5th P.M., lying East of the Maquoketa River according to plat recorded in Book 2 Plats, Page 91-92 of the Delaware County Recorder, Delaware County, Iowa, subject to the following covenants:

1. Same is subject to the existing flood plain rights and the grantees shall hold the grantors harmless with regard to flooding of the property conveyed.
2. Grantees and their successors are restricted from changing or altering lake frontage without the written permission of the grantors.

AND

PARCEL A; part of Lot Thirty-seven (37) and Part of Lot Thirty-four (34) of the Cedars Sub-Division in the West One-half (W ½) of the Southeast Quarter (SE ¼) of Section Fourteen (14), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, containing a total of 0.03 acres, as shown by Plat of Survey filed in the office of the Delaware County Recorder in Book 8, Page 103 on January 20, 1998, subject to easements of record and more specifically described by metes and bounds as follows:

COMMENCING at the Northerly Most Corner of Lot Fourteen (14) of the Cedars Sub-Division in the West One-half (W ½) of the Southeast Quarter (SE 1/4) of Section Fourteen (14), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, as recorded in Book 2 of Plats, Page 92 in the office of the Delaware County Recorder.

THENCE along the Northeasterly Line of said Lot Fourteen (14) South 34° 20'00" East, 78.50 feet to the POINT OF BEGINNING;

THENCE North 54° 55'25" East to the Southwesterly Line of a 20 foot roadway 50.81 feet;

THENCE along the Southwesterly Line of said railroad South 37°10'55" East, to the Northerly Most Corner of Lot Thirty-seven (37), 25.17 feet;

THENCE along the Northeasterly extension of the Southeasterly Line of said Lot Fourteen (14), South 55°45'20" West, to the Easterly Most Corner of Lot Fourteen (14), 52.06 feet;

THENCE along the Northeasterly line of said Lot Fourteen (14), North 34°20'00" West, 24.37 feet to the POINT OF BEGINNING; containing a total of 0.03 acres and subject to easements of record.

The Northeasterly Line of Lot Fourteen (14) of the Cedars Sub-Division in the West One-half (W ½) Southeast Quarter (SE ¼) of Section Fourteen (14), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian is assumed to bear north 34°20'00" West.