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FILED NO. 3243

BOOK 44 PAGE 119

97 MAY 21 PM 1:16

REC. \$ 10.00

AUD. \$ \_\_\_\_\_

R.M.F. \$ 1.00

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA



61102s.afi

Treva T. Petersen, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010 515-239-1269

### INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: The South Half (1/2) of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) and all that part of the West Half (1/2) of the Southeast Quarter (1/4) lying and being North of the right of way granted to the Des Moines, Winterset & Southwestern Railroad Company (except all that part of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) which lies South of the South line of the Public Highway known as Highway No. 92 and North of said Railroad right of way, excepting from the East end thereof the portion at one time used for public highway which is now abandoned, containing 3/4 acres, more or less); all of Section Twenty-nine (29), in Township Seventy-six (76) North, of Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

and also except a part of the South Half (S1/2) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 29, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as commencing at the Southwest corner of the SW1/4 of the NE1/4 of said Section 29, thence N0°00' 110.00 feet to the point of beginning, thence N. 87°00' E. 810.00 feet, thence N. 0°00' 480.00 feet, thence S. 87°00' W. 810.00 feet to the West line of said SW1/4 of the NE1/4, thence S. 0°00' 480.00 feet to point of beginning, containing 8.913 acres (The West line of the SW1/4 of the NE1/4 of Section 29, Township 76 North, Range 26 West of the 5th P.M. is assumed to bear due North and South),

and also except a part of the South Half (S1/2) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) and a part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) all in Section 29, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as beginning at the Southwest corner of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section 29, thence N. 0°00' 110.00 feet, thence N. 87°00' E. 30.00 feet, thence S. 0°00' 1,428.00 feet, thence S. 87°00' West 30.00 feet to the West line of the NW1/4 of the SE1/4 of said Section 29, thence N. 0°00' 1,318.00 feet to point of beginning containing 0.982 acres.

State of Iowa, County of Story ss:

I, A. J. Severeid, being first duly sworn and under oath, state of my personal knowledge that:

1. I am the trustee under the Trust dated January 2, 1988, to which the above described real estate was conveyed by Phyllis Pace and E. I. Wilden as Executors of the Estate of Verna W. Klein, Deceased, pursuant to an instrument recorded the 4th day of March 1988, in the Office of the Madison County Recorder in Book 124, Page 117.
2. I am the presently existing trustee under the Trust and I am authorized to grant to the State of Iowa a permanent easement for road purposes and for use as a Public Highway, without any limitation or qualification whatsoever:

A parcel of land located in the SW1/4SE1/4 of Sec. 29, T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof, more particularly described as follows:

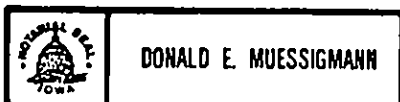
Commencing at the Center of said Sec. 29; thence S1°02"E, 1349.72 ft. along the west line of the SE1/4 of said Sec. 29 to a point on the present northerly right of way line of Relocated Primary Road No. IA 92; thence southeasterly 735.65 ft. along said present northerly right of way line, along a 1467.89 foot radius curve, concave northerly and having a chord bearing S76°53'16"E, 727.97 ft. to the Point of Beginning; thence N76°07'52"E, 334.91 ft.; thence N79°34'10"E, 296.24 ft. to a point on the east line of the SW1/4SE1/4 of said Sec. 29; thence S1°36'25"E, 20.34 ft. along said east line to a point on the present northerly right of way line of Relocated Primary Road No. IA 92; thence S79°34'13"W, 627.43 ft. along said present northerly right of way line to the Point of Beginning; containing 0.21 acre.

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

A. J. Severeid, Affiant

Sworn to (or affirmed) and subscribed before me by A. J. Severeid on this 19 day of MAY, 1997.

(SEAL)



Donald E. Muessigmann (Sign in Ink)  
Donald E. Muessigmann (Print/Type Name)  
Notary Public in and for said State

Madison County Project No. FN-92-4(15)--21-61  
A & M Trust (Parcel 102-Supplemental)

MISC RECORD 44  
IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAT  
EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0600  
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 102 (Supplemental)  
 SECTION 29 TOWNSHIP 78 N RANGE 26 W  
 ROW-FEE \_\_\_\_\_ AC. EASE 0.21 AC. EXCESS - FEE \_\_\_\_\_ AC  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE  
 ACQUIRED FROM A & M Trust

I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

*James E. Carey* 12-26-96  
 James E. Carey Date  
 License number 6130  
 Pages covered by this seal 1  
 My Registration Renewal date is December 31, 1998

LICENSED LAND SURVEYOR  
 JAMES E. CAREY  
 6130  
 IOWA

NE CORNER  
 NW1/4 SE1/4  
 SEC. 29-76-26W  
 (Set Iron Pin)  
 is N1°36'25"W 1634.71'  
 from Sta. 425+42.16

CENTER  
 SEC. 29-76-26W  
 (Found Capped Iron Pin)  
 is N1°01'02"W 1417.59' from  
 P.O.C. Sta. 410+86.16

NOTE: Iron Pin found 1338.37' South of the CENTER, Sec. 29-76-26W. CENTER of Sec. and Found Iron Pin used for North-South Section Line alignment.

