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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

## INDIVIDUAL TRUSTEE'S AFFIDAVIT

THE IOWA STATE BAR ASSOCIATION

Official Form No. 113

Recorder's Cover Sheet

**Preparer Information:** (name, address and phone number)

John E. Casper, 223 East Court Avenue, P.O. Box 67, Winterset, IA 50273-0067  
Phone: (515) 462-4912

**Taxpayer Information:** (name and complete address)

Adam J. Hutton and Lindsie Hutton, 3358 330th Street, Truro, IA 50257

**Return Document To:** (name and complete address)

John E. Casper, 223 East Court Avenue, P.O. Box 67, Winterset, IA 50273-0067

**Grantors:**

Julie Bintner Residual Trust Under the Last Will and Testament of Julie Bintner

**Grantees:**

Adam J. Hutton  
Lindsie Hutton

**Legal Description:** See Page 2

**Document or instrument number of previously recorded documents:** N/A

John E. Casper, ICIS# AT0001474

**INDIVIDUAL TRUSTEE'S AFFIDAVIT**

**RE: Parcel "D" of "C" located in the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-six (36), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 3.77 acres, as shown in the Amended Plat of Survey filed in Book 2015 at Page 832 on April 1, 2015, in the Office of the Recorder of Madison County, Iowa.**

The Grantor for themselves, their successors and assigns hereby grant the Grantees, their successors and assigns the perpetual right and easement of access to the water well and the well head area on the Grantor's adjoining real estate, which easement is further described below. This easement grant further includes the perpetual nonexclusive right to withdraw, transport and use the water from this well system and the perpetual nonexclusive right to use, repair, and replace the existing equipment for the withdrawal, use and transport of this water. These Grantees, their successors and assigns shall have the responsibility at their cost for the maintenance and replacement of the existing well system including the water and electrical systems appurtenant thereto. Grantees shall not have the right to fence in the easement area. Grantees shall not change the grade or elevation of the easement area. Neither party warrants to the other the quality or quantity of the water from this well system. This easement grant shall be a covenant running with the premises hereafter described binding upon the Grantor and the Grantees, their successors and assigns. The easement is legally described as:

**A 30 feet wide Ingress/Egress/Utility Easement across that part of the Northwest Quarter of the Northeast Quarter of Section 36, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, the centerline of which is described as follows:**

**Commencing at the North Quarter corner of said Section 36; thence North 84 degrees 34 minutes 55 seconds East, 398.49 feet along the north line of said Northwest Quarter of the Northeast Quarter to the point of beginning; thence South 03 degrees 23 minutes 00 seconds East, 99.12 feet; thence South 29 degrees 38 minutes 08 seconds East, 53.51 feet; thence South 52 degrees 47 minutes 27 seconds East, 216.38 feet; thence South 33 degrees 21 minutes 43 seconds East, 147.91 feet; thence South 18 degrees 07 minutes 47 seconds East, 144.54 feet; thence South 01 degrees 53 minutes 22 seconds West, 84.94 feet; thence South 14 degrees 23 minutes 03 seconds West, 149.68 feet to the north line of Parcel D of C and the terminus of said Easement.**

STATE OF IOWA, COUNTY OF MADISON, ss:

I, William Matthew Bintner, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the Trustee under the Trust opened for administration on December 19, 2011, before the Iowa District Court for Madison County to which the above-described real

estate was conveyed to the Trustee by the Estate of Julie Bintner, pursuant to an instrument recorded the 15th day of February, 2012, in the Office of the Madison County Recorder in Book 2012 at Page 473. The Court has directed this Trust to be removed from the Court's supervision by the Order entered on December 19, 2011.

2. I am the presently existing Trustee under the Trust and I am authorized to sell or convey this real estate without any limitation or qualification whatsoever as provided in the Last Will and Testament of Julie Bintner.

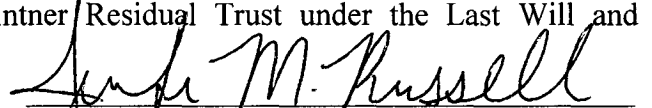
3. The Trust is in existence and I, as Trustee, am authorized to transfer the interest in the real estate as described in paragraph 2, free and clear of any adverse claims.

4. The Settlor of the Trust is not alive.

5. The Trust is testamentary and none of the current beneficiaries of the Trust are deceased.

  
William Matthew Bintner, Affiant

Signed and sworn to (or affirmed) before me this 5<sup>th</sup> day of May, 2015, by William Matthew Bintner as Trustee of the Julie Bintner Residual Trust under the Last Will and Testament of Julie Bintner.

  
Notary Public in and for the State of Iowa

