BILLY J. SMITH & DORIS E. SMITH

AFFIDAVIT IN RE:

Legal Description set forth in Exhibit "A" attached hereto.

STATE OF ARKANSAS)
) ss
COUNTY OF Carroll)

I, Billy J. Smith, and I, Doris E. Smith, being first duly sworn and under oath state of my personal knowledge that:

1. We are the sole Trustees under the Trust dated December 18, 1991 to which the above-described real estate was conveyed to the Trustees by both of us, in our individual capacities and as husband and wife by Quit Claim Deed recorded the 19th day of May, 1992 in the office of the Delaware County Recorder, in Book 129, L.D., Page 318.

2. We are the presently existing Trustees under "The Billy J. & Doris E. Smith Family Trust" and we are authorized to execute a Warranty Deed as to Parcel 1 set forth in Exhibit "A" attached hereto, and a Quit Claim Deed as to Parcel 2 of Exhibit "A" attached hereto to Robert E. Johnson, a/k/a Robert Edwin Johnson, in consummation of the real estate Contract dated 09-05-90 between ourselves, as Sellers, and Pamela Sue Johnson, Buyer, which Contract was filed of record in the office of the Delaware County Recorder on 09-07-90 in Book 126, L.D., Page 338, and in which Pamela Sue Johnson later assigned her interest in said Contract to Robert Edwin Johnson by Quit Claim Deed dated 06-24-93 and filed of record 09-07-93 in Book 131, L.D., Page 319, Delaware County Recorder records, without any limitation or qualification whatsoever.

3. The Billy J. & Doris E. Smith Family Trust is in existence and we, as the sole Trustees, are authorized to transfer the interest in the real estate as described in Exhibit "A" attached hereto, free and clear of any adverse claims.

Billy J. Smith
BILLY J. SMITH

Doris E. Smith
DORIS E. SMITH

Subscribed and sworn to before me by Billy J. Smith and Doris E. Smith on this 13th day of December, 1993.

My commission expires 12/01/02

Roberta A. Firth
NOTARY PUBLIC IN AND FOR THE STATE OF ARKANSAS

Roberta A. Firth
Notary Public
State of Arkansas
My Commission Expires Dec. 1, 2002

FILE No. 1-2140
RECORDING FEE $ 11.00
TRANSFER FEE $

FILED FOR RECORD THE 10 DAY OF January, 1994 AT 1:23 O'CLOCK P M. BOOK 17 PAGE 268

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Aff.

EXHIBIT "A"

Real estate situated in Delaware County, Iowa, and described as:

PARCEL 1

Lot Two (2) of East Shore Lots in the Northwest corner of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Twenty Nine (29) and in the Northeast corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Thirty (30), Township Eighty Eight (88) North, Range Four (4), West of the Fifth Principal Meridian, according to plat recorded in Book 2 Plats, Page 98½.

PARCEL 2

All lake frontage running to the middle of the Maquoketa River bed with regard to the following described real estate situated in Delaware County, Iowa: Lot Two (2) of the East Shore Lots in the Northwest corner of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Twenty-nine (29), and in the Northeast corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Thirty (30), all in Township Eighty-eight (88) North, Range Four (4) West of the Fifth P.M., as shown by recorded plat in Book 2 Plats, Page 98½.