IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

IN THE MATTER OF THE ESTATE)
) P-3489
OF)
) AFFIDAVIT
EVERETT H. RISSLER, DECEASED)

I, R. W. Nieman, the duly appointed and qualified Clerk of the District Court of the State of Iowa, in and for Delaware County, on oath being first duly sworn state:

That as such Clerk of said Court, I am the custodian of the files and record in Probate in said Court.

That among said files and record in Probate is the Estate of Everett H. Rissler, Deceased and which Estate is at this time pending in Probate, and being Probate Number P-3499.

That said Everett H. Rissler died seized of the following described real estate, to wit:

South Ninety Four (94) feet of the East One Half ($E\frac{1}{2}$) of Lot Seventy (70), Henry Acers Addition to Manchester, Delaware County, Iowa.

That the Last Will and Testament of Everett H. Rissler, Deceased bequeathed the said real estate in equal shares to Duane A. Rissler, Everett E. Rissler, and Evelyn J. DeLancey. And said Will further directed that the Executor shall sell the said real estate without Court approval.

That on December 22, 1993, the said Clerk of this Court did execute a change of title of the above described real estate, to the said Duane A. Rissler, Everett E. Rissler and Evelyn J. DeLancey, as provided by said Will.

That on the 25th day of January, 1994, Duane A. Rissler, as Executor of the Estate of Everett H. Rissler, Deceased, executed a Court Officers Deed to the above described real estate to Michael K. Downs and Dorothy L. Downs, without Court approval, as provided in said Will.

That the Change of Title executed by the Clerk of the District Court of Delaware County, Iowa, was inadvertent and was without the knowledge or information that a conveyance of said real estate was being otherwise made.

That the Change of Title has no force or effect and the Court Officers Deed executed by Duane A. Rissler as Executor of the Estate of Everett H. Rissler to Michael K. Downs and Dorothy L. Downs has precedence thereto.

R. W. Nieman, Clerk of
District Court.

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

Subscribed and sworn to before me by R. W. Nieman, on this 11th day of February, 1994.

Deputy Clerk of District Court
DEBRA MEYERS

DT 4-128

FILE No. 9-2448
RECORDING FEE $ 6.00
TRANSFER FEE $

FILED FOR RECORD THE 11 DAY OF February, 1994 AT 2:15 O'CLOCK P M. BOOK 17 PAGE 279

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