96 AUG 12 PM 2 25
DELAWARE COUNTY IOWA
RECORDER
18 PAGE 322
248-672
11.00

Preparer Information (x) John Q. Swift (Indiviudual's Name) | 108 North Madison Street (Street Address) | Manchester (City) | 319-927-4901 (Phone)

AFFIDAVIT RE: TITLE

STATE OF CALIFORNIA)
) ss.
COUNTY OF TULARE)

Parcel E of part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Thirty Three (33), Township Eighty Nine North (T89N), Range Five (5), West of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 6 Plats, Page 182; also the East thirty three (33) feet of the North five (5) acres of the East one-half (E½) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Thirty Three (33), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M.

I, Laura Johnston, of lawful age, being first duly sworn, depose and say:

1. That I am the surviving spouse of Burl Johnston, who died on October 26, 1993, a resident of Delaware County, Iowa, and know that at the time of his death, along with myself, he was a seller of the above-described real estate in a Contract to James V. Grabill and Patricia A. Graybill, husband and wife, as joint tenants with full rights of survivorship, and not as tenants in common, said Contract dated October 11, 1991, and filed November 21, 1991 in Book 128, L.D., Page 348, in the records of the Delaware County, Iowa, Recorder.

2. At the time of his death there was a balance due of approximately $12,096.08, on said Contract, and he was the owner of one-half of the balance due on said Contract at that time.

3. Other than his personal effects, this was the only property he had at the time of his death that was not owned by him and myself as joint tenants.

4. I further know that he died testate, having left a Last Will and Testament dated September 29, 1961; he was only once married, never divorced, and survived me, Laura Johnston, and the following named children:

Mary Ann Reed - Daughter
Alice Jane Heiserman - Daughter
Leroy R. Johnston - Son

5. That said Decedent was not survived by any other child or children, had never adopted any children, and was not survived by the descendants of any deceased children.

Laura Johnston

Subscribed in my presence and sworn to before me by Laura Johnston this 22 day of July, 1996.

Notary Public in and for the State of California

VALERIE J. MACHADO
COMM. #971560
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
TULARE COUNTY
My Commission Exp. Aug. 16, 1996