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Prepared by: David C. Tracey, 105 N. Franklin St., Manchester, Iowa 319-927-4925

AFFIDAVIT

STATE OF IOWA )
) ss:
DELAWARE COUNTY )

Comes now David C. Tracey, first being duly sworn, on oath deposes and states that he is an Attorney At Law in Manchester, Delaware County, Iowa, having practiced Law in said city for more than thirty-five years last past and states that he is well acquainted with Olive E. Ryan, Deceased, who died on January 1, 1997. That he has done business for said decedent for many years and is well acquainted with the real estate owned by said decedent, and that said decedent, at her death, lived at 107 Oak Court, Manchester, Iowa, which was her dwelling house deeded to her sister, Marian Gladwin Swanson, by Article III.a. of her Last Will and Testament dated June 7, 1995.

That said dwelling house is in fact the real estate being sold to Lowell G. Spittler and Dawn M. Spittler, described as follows:

> That part of the South Half (S½) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Twenty-nine (29), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M. and Lot Seventeen (17) of the Subdivision of part of the North Half (N½) of the Southeast Quarter (SE¼) and the South Half (S½) of the Northeast Quarter (NE¼), Section Twenty-nine (29), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M., Delaware County, Iowa, described as commencing at a point on the South line of Clara Avenue, 132 feet West of the West line of New Street, thence South 100 feet to the point of beginning, thence South 89 feet, thence West 117.15 feet, thence North 89 feet, thence East 117.15 feet to beginning, subject to easements of record. (Note: The West 20 feet thereof are used for street purposes.)

That this affidavit is made for the sole purpose of curing an objection to the title to the real estate.

Dated this 25th day of June, 1997.

David C. Tracey
David C. Tracey

LILA LUENSMANN NOTARIAL SEAL DELAWARE COUNTY IOWA

Subscribed and sworn to before me this 25th day of June, 1997.

Lila Luensmann
Lila Luensmann, Notary Public in and for the State of Iowa.

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