THE IOWA STATE BAR ASSOCIATION
Official Form No. 114

Kenneth L. Moss ISBA # 03873

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

Citizens State Bank
Hop Kinton, IA

55-2632

DELAWARE COUNTY IOWA
FILED
98 MAR 5 AM 10 11
19 185
RECORDER
KINTON
11.00

Preparer Information: Kenneth L. Moss, 129 1st Avenue E, Dyersville, (319) 875-7178
Individual's Name | Street Address | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

CORPORATE TRUSTEE'S AFFIDAVIT

RE: Legal Description on attached Exhibit A.

State of Iowa County of Dubuque ss:

I, Robert J. Donovan, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. American Trust & Savings Bank, Dubuque, Iowa is the trustee under the Trust dated October 11th, 19 94, to which the above-described real estate was conveyed to the trustee by Carl Trumm, pursuant to an instrument recorded the 1st day of November, 19 94, in the office of the Delaware County Recorder in Book 134, Page 66 (insert recording data).

2. American Trust & Savings Bank, Dubuque, Iowa is the presently existing trustee under the Trust and is authorized to convey title to the real estate described on Exhibit "A" to Ernest Burger.

(describe the transfer to be made by the trustee to the bona fide purchaser), without any limitation or qualification whatsoever, and I am Trust Officer (office) of the corporate trustee.

3. The Trust is in existence and American Trust & Savings Bank, Dubuque, Iowa as trustee is authorized to transfer the interest in the real estate as described in paragraph 2, free and clear of any adverse claims.

4. The grantor of the trust is ~~alive~~. deceased.

5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased. except beneficiary Vernon Trumm died on December 12, 1997.

Robert J. Donovan
Affiant

Sworn to (or affirmed) and subscribed before me by Robert J. Donovan on this 27th day of February, 19 98.

LYNNE A. KIRCHHOFF
MY COMMISSION EXPIRES
9-27-00

Lynne A. Kirchhoff
Notary Public in and for said State

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DATE 3-5-98 BOOK 19 PAGE 185

EXHIBIT "A"

The Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Ten (10), and the North one-half (N½) of the Southwest Quarter (SW¼), and the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Eleven (11) except the West eight (8) rods of the North forty (40) rods of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼), all in Township Eighty Seven (87) North, Range Three (3), West of the Fifth P.M., except railroad right-of-way, in Delaware County, Iowa;

AND

Chicago, Milwaukee, St. Paul and Pacific Railroad Company's abandoned 100-foot wide right of way across the NE¼ SW¼ NW¼ SW¼ and the SW¼ SW¼ of Section 11, Township 87 North, Range 3 West of the Fifth Principal Meridian; and across the SE¼ SE¼ of Section 10, Township 87 North, Range 3 West of the Fifth Principal Meridian, containing 7.85 acres, more or less. Subject to any existing easements, whether or not of record, with any easement and appurtenant servient estates.

AND

PARCEL E of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼), Section Eleven (11), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 86; containing a total of 5.31 acres including 0.85 acres of public road right of way; subject to easements of record;

EXCLUDING FROM ABOVE

PARCEL D of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), Section Eleven (11), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 86; containing a total 4.92 acres including 0.85 acres of public road right of way; subject to easements of record.