DELAWARE COUNTY IOWA
FILED
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BOOK 999 PAGE 735
DEBORAH FENTON
DELAWARE CO RECORDER
$ 11.00

(X) ENV.

PREPARER
INFORMATION: Dan McClean, 401 First Ave. East, Dyersville, Iowa 319-875-7534

AFFIDAVIT

I, Donald G. Nefzger, the affiant herein, state that I am one of the trustees In the Matter of the Trust Under the Will of Clara Nefzger and Under the Will of Helen W. Nefzger, Probate No. TRPR003796, Delaware County, Iowa. This trust was established to handle the property for the benefit of Lois Nefzger.

The Trust under the Will of Clara Nefzger, Probate No. P3368, was established by court order dated October 20, 1992. The Opening Inventory of said Trust was filed on December 4, 1992 and shows the following property to be the property of said Trust:

One-Half interest in Lots 5 and 6 of Subdivision of South West Quarter of South West Quarter of Section 25, Township 89 North, Range 4, West of the 5th P.M., Delaware County, Iowa;

and,

One-Seventh interest in Lot 3 of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), except that portion used for road, described as commencing at the Southeast corner of said Lot 7, and running thence North to a point 20 feet North of the Southwest corner of said Lot 4, thence West 20 feet, thence South to the South line of Lot 7, thence East 20 feet to the point of beginning and that part of Lot 3 of the Subdivision of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 25, Township 89 North, Range 4 West of the 5th P.M., according to plat recorded in Book A Plats, Page 72 (described as commencing at the Southwest corner of Lot 2 of said Subdivision, and running thence South 143 feet, thence East 180 feet, thence North 143 feet, thence West 180 feet to the point of beginning, subject to easements of record); and North 11 feet of Lot 7 of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), except the East 20 feet thereof, and the West 46 feet of the East 66 feet of Lot 7, except the North 11 feet thereof, all in Section 25, Township 89 North, Range 4 in the City of Earlville, Delaware County, Iowa.

Lois Nefzger did not, at any time, own any of said real estate individually and the Change of Title prepared at the closing of the Estate of Clara Nefzger, Probate No. P-3161, was in error. Change of Title should have been issued to the Trust Under the Will of Clara Nefzger, Probate No. P 3368, for the above interest in said real estate.

The Trust under the Will of Clara Nefzger, Probate No. P 3368, and the Trust under the Will of Helen Nefzger, Probate No. TRPR 003796, were combined on November 5, 1996, and the number for the combined trusts is Probate No. TRPR 003796.

The above-described interests in real property are now held as follows: In the Matter of the Trust Under the Will of Clara Nefzger and Under the Will of Helen W. Nefzger, Probate No. TRPR003796, Delaware County, Iowa.

Signed this 2 day of March, 1999.

Donald G. Nefzger
Donald G. Nefzger, Affiant

STATE OF IOWA )
) SS:
COUNTY OF DELAWARE )

On this 2 day of March, 1999, before me, the undersigned, a Notary Public in and for said state, personally appeared Donald G. Nefzger, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that such person executed the same as his voluntary act and deed.

JoAnn K. Hawkins
Notary Public
JoAnn K. Hawkins