DELAWARE COUNTY IOWA
FILED ✓
2000 MR -2 AM 10: 32
BOOK 208 PAGE 618
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
RECORDER FEE $11.00

Prepared by: Brian J. Kane, Kane, Norby & Reddick, P.C., 2100 Asbury Road, Suite 2, Dubuque, IA 52001 319/582-7980

AFFIDAVIT

The North 177 feet of the West one fourth (W 1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW 1/4) of Section Two (2), Township Ninety (90) North, Range Five (5), West of the Fifth P.M., Delaware County, Iowa.

STATE OF IOWA)
)
COUNTY OF DUBUQUE) ss:

We, STEVEN J. ARTHUR and DUBUQUE BANK & TRUST COMPANY, being first duly sworn on oath, state of our own personal knowledge that:

1. STEVEN J. ARTHUR and DUBUQUE BANK & TRUST COMPANY are the Trustees under the ROBERT E. ARTHUR DECLARATION OF TRUST DATED DECEMBER 13, 1994 to which the above described real estate was conveyed pursuant to a Warranty Deed recorded on the 9th day of December, 1996 as Bk 137, Pg 255 of the records of the Delaware County Recorder.

2. STEVEN J. ARTHUR and DUBUQUE BANK & TRUST COMPANY are presently the existing Trustees under the ROBERT E. ARTHUR DECLARATION OF TRUST DATED DECEMBER 13, 1994 and are authorized to convey the trust's interest in the above described real estate to ROBERT E. ARTHUR MARITAL TRUST, STEVEN J. ARTHUR and DUBUQUE BANK & TRUST COMPANY, CO-TRUSTEES, without any limitation or qualification whatsoever.

3. The DECLARATION OF TRUST OF ROBERT E. ARTHUR dated DECEMBER 13, 1994 is in existence and STEVEN J. ARTHUR and DUBUQUE BANK & TRUST COMPANY, as Trustees, are authorized to transfer the interest in the real estate, free and clear of any adverse claims.

Dated this 18th day of February, 2000

ROBERT E. ARTHUR DECLARATION OF TRUST
DATED DECEMBER 13, 1994

BY: _____
STEVEN J. ARTHUR, TRUSTEE

BY: DUBUQUE BANK & TRUST COMPANY

_____
Its EVP

_____
Its VP & TO

STATE OF IOWA)
)SS:
COUNTY OF DUBUQUE)

On this 18th day of February, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven J. Arthur, Trustee, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he, as the trustee, executed the instrument as the voluntary act and deed of the person and of the trustee.

MARY A. BURNS
MY COMMISSION EXPIRES
4-5-2003

_____
Notary Public in and for the State of Iowa

STATE OF IOWA)
)SS:
COUNTY OF DUBUQUE)

On this 18th day of February, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul Peckosh and Bruce C Rohmke, to me personally known, who, being by me duly sworn, did say that they are the EVP and VP+TO, respectively, of the corporation executing the within and foregoing instrument; that ~~(no seal has been procured by the)~~ (the seal affixed thereto is the seal of the) corporation; that said instrument was signed **(and sealed)** on behalf of the corporation by authority of its Board of Directors; and the said EVP and VP+TO acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by them and as the fiduciary voluntarily executed.

MARY A. BURNS
MY COMMISSION EXPIRES
4-5-2003

_____
Notary Public In and for the State
Of Iowa