THE IOWA STATE BAR ASSOCIATION
Official Form No. 113 | ISBA # | FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

FILED
DELAWARE COUNTY, IOWA
2002 AUG -1 PM 1:11
BOOK 2002 PAGE 3118

Preparer Information: Carr & Carr Attorneys 117 S. Franklin St. PO Box 333 Manchester, IA 52057 (563) 927-4164
Individual's Name | Street Address | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: See Addendum attached hereto.

State of Iowa County of Delaware ss:

I, Mary A. Panosh, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the trustee under the Trust dated June 5, 1998, to which the above-described real estate was conveyed to the trustee by Mark Thompson and Lenna Sue Thompson, pursuant to an instrument recorded the 12th day of July, 2002, in the office of the Delaware County Recorder in Manchester, Iowa (insert recording data).

2. I am the presently existing trustee under the Trust and I am authorized to transfer the interest in the real estate described on Addendum attached hereto (describe the transfer to be made by the trustee to the bona fide purchaser), without any limitation or qualification whatsoever.

3. The Trust is in existence and I, as trustee, am 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.

5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.

Mary A. Panosh
Affiant

Sworn to (or affirmed) and subscribed before me by Mary A. Panosh on this 31st day of July, 2002.

NOTARIAL SEAL IOWA
JOHN M. CARR
COMMISSION NO. 192855
MY COMMISSION EXPIRES
4/7/03

John M. Carr
Notary Public in and for said State

© The Iowa State Bar Association 2001
IOWADOCS ®

ADDENDUM

That part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Twenty Six (26), Township Eighty-Eight (88) North, Range Five (5), West of the Fifth P.M. described as commencing at the Northwest corner of said Southwest Quarter(SW ¼) of the Northeast Quarter (NE ¼), and running thence East one hundred forty eight (148) feet, thence South one hundred seventeen (117) feet, thence West one hundred forty eight (148) feet, thence North one hundred seventeen (117) feet to the place of beginning

AND

All lake frontage running to the water front and then at right angles to the middle of Delhi lake, in respect to an adjoining premises now owned by grantee, which are now of record in the office of the Recorder of Delaware County, Iowa, described and known as follows:

That part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Twenty Six (26), Township Eighty-Eight (88) North, Range Five (5), West of the Fifth P.M. described as commencing at the Northwest corner of said Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼), and running thence East one hundred forty eight (148) feet, thence South one hundred seventeen (117) feet, thence West one hundred forty eight (148) feet, thence North one hundred seventeen (117) feet to the place of beginning.

Subject to the following Covenants:

1. Same is subject to the existing flood plain rights and the Grantees shall hold the Grantor harmless with respect to flooding on the property conveyed.
2. The Grantees and their successors are restricted from changing or altering the lake frontage without the written permission of the Grantor.

AND

The West 148 feet of Lot One (1) as shown on replat of "Turtle Creek Camp Replat in Milo Township on Delhi Lake in Delaware County, Iowa", according to plat recorded in Book 1999, Page 4340 subject to the use of the South Thirty (30) feet thereof as a roadway as shown on said plat.