DELAWARE COUNTY IOWA
FILED
2004 JA -9 AM 8:19
BOOK 2004 PAGE 77
DEBORAH L. PEYTON
DELAWARE COUNTY RECORDER
$1.00

W. Peter Wood
119 Rapp Court
Manchester IA
52057

Preparer
Information Nicolas Abou-Assaly, 115 Third Street S.E., Suite 1200, Cedar Rapids, (319) 366-7641
Individual's Name Street Address City Phone

Nicolas Abou-Assaly ISBA # 0014597

SPACE ABOVE THIS LINE
FOR RECORDER

TRUSTEE'S AFFIDAVIT

RE: See Attached Exhibit "A"

STATE OF IOWA, COUNTY OF DELAWARE, ss:

I, Douglas R. Schulte, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. The Raymond P. Schulte Family Trust was established upon the death of Raymond P. Schulte pursuant to the terms of the Raymond P. Schulte Revocable Inter Vivos Trust dated November 18, 1991.

2. The above-described real estate was conveyed to the trustee of the Raymond P. Schulte Revocable Inter Vivos Trust dated November 18, 1991 by Ruth F. Schulte and Raymond P. Schulte pursuant to an instrument recorded the 20th day of December, 1991, in the office of the Delaware County Recorder in Book 128, L.D. at Page 419. By instrument dated October 24, 2003 and filed for record the 3rd day of December 2003 in Book 2003 at Page 5600 of the records of the Delaware County, Iowa, Recorder, the co-Trustees of the Raymond P. Schulte Inter Vivos Trust conveyed the above-described property to the Raymond P. Schulte Family Trust.

3. I am the presently existing Co-Trustee of the Raymond P. Schulte Family Trust. The other presently existing Co-Trustees of said Trust are David L. Schulte and Daniel A. Schulte. Ruth F. Schulte declined to serve as Co-Trustee and was succeeded in such position by David L. Schulte and Daniel A. Schulte pursuant to the terms of the Raymond P. Schulte Family Trust.

4. The Co-Trustees of the Raymond P. Schulte Family Trust are authorized to convey the Trust's interest in the referenced real estate without any limitation or qualification whatsoever.

3. The Raymond P. Schulte Family Trust is in existence and the Co-Trustees of said Trust are authorized to transfer the Trust's interest in the real estate as described above, free and clear of any adverse claims.

4. Raymond P. Schulte died on December 1, 2002. No Iowa Inheritance Tax, Iowa Estate Tax or Federal Estate Tax is due in connection with the death of Raymond P. Schulte.

Douglas R. Schulte, Affiant

Sworn to (or affirmed) and subscribed before me by Ruth F. Schulte on this 6th day of January, 2004.

Notary Public in and for said State

DARREL A. MORF
COMMISSION NUMBER 206608
MY COMMISSION EXPIRES 1-6-07
NOTARIAL SEAL IOWA

EXHIBIT "A"

an undivided one-half interest in:

Lots Six (6), Seven (7), Ten (10), Thirteen (13) and Fourteen (14) of Honey Creek Meadows Addition in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Sixteen (16), Township Eighty-nine North (T89N), Range Five West (R5W) of the 5th P.M., Delaware County, Iowa.

and

Lots Sixteen (16), Twenty-two (22) and Twenty-three (23) of Schulte's First Addition to Northtown Estates Subdivision, City of Manchester, Delaware County, Iowa, as recorded in Book 3 Page 166.

and

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) of the Subdivision of Lot Twenty-five (25) of Schulte's First Addition to Northtown Estates Subdivision, City of Manchester, Delaware County, Iowa, per plat recorded in Book 7 Plats, Page 170.

and

Lot Six (6) and Lot Fifty-five (55) of Northtown Estates Subdivision of Part of the North One-half (N ½) of the Southeast Quarter (SE ¼) of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the 5th P.M., Delaware County, Iowa.

and

Lots Six (6), Seven (7), Ten (10), Eleven (11), Thirteen (13), Sixteen (16), Seventeen (17), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27) and Lot A except North 33 feet thereof, all being in Schulte's Second Addition to Northtown Estates, City of Manchester, Delaware County, Iowa, per plat recorded in Book 8 Plats, Page 10.

and

The Northwest Quarter (NW ¼), the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼), and the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-one (21); the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼), and the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Sixteen (16) and all that part of the South One-half (S ½) of the Southwest Quarter (SW ¼) of said Section Sixteen (16) lying East of the West right-of-way line of the Manchester and Oneida Railway Company; all of the above described real estate being situated in Township Eighty-nine North (T89N), Range Five West (R5W) of the 5th P.M., Delaware County, Iowa, subject to roadways and easements of record.

and

The Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the 5th P.M., Delaware County, Iowa, subject to roadways and easements of record, except the following:

Any portion thereof located within Northtown Estates Subdivision of the City of Manchester, Delaware County, Iowa, as recorded in Book 4, Page 13, and except

Any portion thereof lying within Schulte's First Addition to Northtown Estates Subdivision, City of Manchester, Delaware County, Iowa, as recorded in Book 3 Plats, Page 166, and except

Any portion thereof lying within Schulte's Second Addition to Northtown Estates Subdivision, City of Manchester, Delaware County, Iowa, as recorded in Book 8 Plats, Page 10, and except

Any portion thereof lying within the North 33 feet of the West 1,539 feet of that portion of the North One-half (N ½) of the Southeast Quarter (SE ¼) of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the 5th P.M., Delaware County, Iowa, lying East of the centerline of Lindsay Creek Road (now known as Honey Creek Road). The intent being to describe the South ½ of E. Honey Creek Drive lying within the city limits of Manchester, Iowa.