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DELAWARE COUNTY IOWA
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DEBORAH L. PETON
DELAWARE CO RECORDER
7.00

Prepared by: Kimberly S. Lange, 108 E. Union St, P.O. Box 10, Edgewood, IA 52042-0010
563-928-7099

Oct 07 04 01:29p Kimberly Lange (563) 928-6884 p.2

# Affidavit

Affidavit in regard to an undivided one-half interest in the following described real estate in Delaware County, Iowa: Lot Nineteen (19) in Juergen's Subdivision to Colesburg, Iowa, according to the Plat recorded in Plat Book 2, Pages 163-164, same being a part of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section Four (4), Township Ninety (90) North, Range Three (3), West of the Fifth Principal Meridian.

I, Jolene Niehaus, being first duly sworn and under oath state of my personal knowledge that:

1. That I am the successor trustee under the John J. Juergens and Marilyn R, Juergens Revocable Trust dated May 14, 1991, to which the above-described real estate was conveyed to the trustee by warranty deed, pursuant to an instrument recorded the 17th day of June, 1993, recorded in the office of the Delaware County Recorder in Book 52 at Page 309.

2. I am the presently existing trustee under the trust and that at the time of the transfer to John R. Arnett and Claudette Arnett dated April 20, 1995, John J. Juergens was the existing trustee of the trust and that as trustee, John J. Juergens was authorized to sell at public or private sale any trust property for such prices and on such terms as any individual might do as outright owner of the property by issuing a warranty deed, without any limitation or qualification whatsoever.

3. The trust is in existence and was in existence at the time of transfer to John R. Arnett and Claudia Arnett dated April 20, 1995 and John J. Juergens was authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

4. That I am successor trustee by reason of the death of prior trustee, John J. Juergens on the 16th day of October, 1998. At the time of the transfer dated April 20, 1995 there were no adverse claims in the above described real estate.

Jolene Niehaus, Successor Trustee

Sworn to and subscribed before me by Jolene Niehaus on this 12th day of October, 2004.

Jeanette K. Thein
Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
JEANETTE K. THEIN
COMMISSION NUMBER 139384
My Comm. Exp. 5-1-07