| THE IOWA STATE BAR ASSOCIATION<br>Official Form No. 113 | William D. Werger ISBA # 8095 | FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER |
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1st St. BK.

DELAWARE COUNTY IOWA
FILED
2005 JA 21 AM 11: 27
BOOK 500 PAGE 242
DEBORAH L PEYTON
DELAWARE CO RECORDER
12.00

Preparer Information William D. Werger, 401 East Main St., Manchester, IA 52057, (563) 927-5920
Individual's Name | Street Address | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

# INDIVIDUAL TRUSTEE'S AFFIDAVIT

**RE:** See attached Exhibit A

State of Iowa County of Delaware ss:

I, Edna M. Zumbach, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the trustee under the Trust dated February 27, 1995, to which the above-described real estate was conveyed to the trustee by Edna M. Zumbach, pursuant to an instrument recorded the 27~~1st~~ day of Feb. ~~March~~ 2004 ~~1999~~, in the office of the Delaware County Recorder in ~~Book 1999~~ 2004 Page ~~668~~ 602 (insert recording data).

2. I am the presently existing trustee under the Trust and I am authorized to convey our interest in the property by Warranty Deed to Jeffrey J. Lindsay (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.

Edna M. Zumbach Affiant

Sworn to (or affirmed) and subscribed before me by Edna M. Zumbach on this 21st day of January, 2005.

WILLIAM D. WERGER
Commission Number 129812
My Commission Expires
October 6, 2007

William D. Werger
Notary Public in and for said State

EXHIBIT A

The Northwest fractional Quarter (NWfr¼) of Section Four (4), Township Eighty Eight (88) North, Range Six (6), West of the Fifth P.M., and beginning at a point eight and forty six hundredths (8.46) chains East of the Southwest corner of the Southeast Quarter (SE¼) of Section Thirty Three (33), Township Eighty Nine (89) North, Range Six (6), West of the Fifth P.M., and running thence East on the Section line twenty three and eleven hundredths (23.11) chains, thence North parallel to the Section line to the North line of the Southeast Quarter (SE¼) of said Section Thirty Three (33), thence West on the Quarter Section line twenty three and eleven hundredths (23.11) chains, thence South to the point of beginning, being a part of the Southeast Quarter (SE¼) of Section Thirty Three (33), Township Eighty Nine (89) North, Range Six (6), West of the Fifth P.M., except that part conveyed to the State of Iowa by Warranty Deed recorded in Book 88 L.D., Page 327, also except that part of the East one-half (E½) of the Northwest fractional Quarter (NWfr¼) of Section Four (4), Township Eighty Eight (88) North, Range Six (6), West of the Fifth P.M., described as commencing at the Northwest corner of said Section Four (4), thence North 89° 04' 33" East along the North line of said Section Four (4) a distance of two thousand thirty six and forty two hundredths (2036.42) feet to the point of beginning, thence continuing North 89° 04' 33" East along said North line six hundred seventeen and sixty one hundredths (617.61) feet, thence South 01° 21' 46" East one thousand seven hundred fifty three and ninety two hundredths (1753.92) feet, thence South 89° 44' 49" West four hundred thirty four and twenty four hundredths (434.24) feet, thence North 18° 33' 59" West four hundred seventy three and seventy four hundredths (473.74) feet, thence North 03° 16' 30" West one thousand two hundred ninety eight and forty one hundredths (1298.41) feet to the point of beginning, and also except Parcel A in the NW Fractional 1/4 of Section 4, Township 88 North, Range 6 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2001, Page 102.