Book 2006 Page 83
Document 2006 83 Type 06 010 Pages 7
Date 1/10/2006 Time 10:11 AM
Rec Amt $47.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

PREPARED BY/RETURN TO: Pete M. Wessels, ISBA #05944, WESSELS & STOJAN P.C., P. O. BOX 4300, ROCK ISLAND IL 61204-4300; (309) 794-9400

INDIVIDUAL TRUSTEE'S AFFIDAVIT

CERTAIN REAL ESTATE LOCATED IN DELAWARE COUNTY, IOWA. SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

STATE OF IOWA, COUNTY OF DELAWARE, ss:

I, MILTON C. DEERR, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the attorney in fact of NEVA E. DEERR, pursuant to the General Durable Power of Attorney executed by Neva E. Deerr on January 9, 2002. The primary appointed attorney in fact, Richard E. Deerr, died on September 7, 2004. The original General Durable Power of Attorney is attached hereto under mark of Exhibit "B" and by this reference made a part hereof.

2. Neva E. Deerr was the presently existing trustee under the Neva E. Deerr Trust dated September 20, 1990 (hereinafter the "Trust"), and was authorized to join in the sale and conveyance of the undivided one-half interest in the above-referenced real estate to the Richard E. Deerr Trust dated September 20, 1990, by a Trustee's Deed recorded October 3, 2002 in Book 2002, Page 3558 in the office of the Delaware County, Iowa Recorder, without any limitation or qualification whatsoever.

3. The Trust is in existence and Neva E. Deerr, as trustee, was 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, Neva E. Deerr, is alive but is disabled and unable to execute documents on her own behalf.

5. All beneficiaries of the Neva E. Deerr Trust dated September 20, 1990 are alive.

Milton C. Deerr

MILTON C. DEERR, attorney in fact for
Neva E. Deerr

Sworn to (or affirmed) and subscribed before me by Milton C. Deerr on this 3rd day of January, 2006.

Patty Coleman

Notary Public

PATTY COLEMAN
Commission Number 719121
My Comm. Exp. 10/18/08

EXHIBIT "A"

That part of the South One-Half (S ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section Twenty Nine (29), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M. and of Lot Seventeen (17) of Subdivision of part of the North One-Half (N ½) of the Southeast Quarter (SE ¼) and the South One-Half (S ½) of the Northeast Quarter (NE ¼) of Section Twenty Nine (29), Township Eighty Nine (89) North, Range Five (5), West of the Fifth Principal Meridian, described as commencing at a point on the South line of Clara Avenue one hundred thirty two (132) feet West of the West line of New Street, thence South one hundred (100) feet, thence West ninety seven and fifteen one-hundredths (97.15) feet, thence North one hundred (100) feet, thence East ninety seven and fifteen one-hundredths (97.15) feet to the point of beginning

Subject to the following:

an easement over a strip of ground not exceeding 12 feet in width over said land owned by grantors for the construction and maintenance of a sewer to connect with an already existing sewer located approximately 10 feet north of the residence now situated on said premises, such sewer to be constructed in a direct northerly line from said existing sewer to the north boundary line of said premises owned by grantors, together with the right of using said sewer or drain for the passage of sewer water from said land herein conveyed to the grantees and for that purpose also the right to make and at all times repair and maintain all such connections with the said sewer or drain as may be reasonable and proper in that behalf.

GENERAL DURABLE POWER OF ATTORNEY

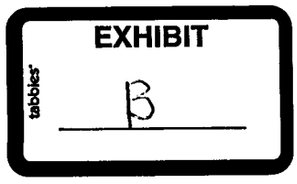
KNOW ALL MEN BY THESE PRESENTS, that I, NEVA E. DEERR, of Manchester, Iowa, do hereby nominate and appoint my husband, RICHARD E. DEERR, as my true and lawful attorney in fact (my Agent) with full power and authority, for me and in my name and on my behalf, to do and perform all matters and things, transact all business, make, execute and acknowledge any instruments of writing, including contracts, effects, orders and deeds, which may be proper or any matters or things pertaining to me or my property or my rights, with the same power and to all intents and purposes with the same validity as I could if personally present. If RICHARD E. DEERR shall die, become legally disabled, resign or refuse to act, then I name my son, MILTON C. DEERR, as successor Agent hereunder. If MILTON C. DEERR cannot act, for any reason, then CARRIE M. DEERR shall be successor Agent hereunder.

Without in any way limiting the power and authority hereby granted, I direct that the power and authority hereby granted shall include power and authority for me and in my name and on my behalf:

1. To do and perform any act which I might now or hereafter be entitled to do as the record holder of any interest in any firm, association, or corporation, or as agent for any person, firm or corporation, including the right to vote at any meetings of stockholders or members.

2. To sell, lease, mortgage, pledge or otherwise dispose of any and all of my properties, including bonds, stocks, choses in action, and all other property or properties of whatever kind and nature, whether the same be real, personal or mixed, or which I am or may hereafter be possessed, or in which I now or hereafter have or may have any interest whatsoever, wheresoever the same is or may be situated, all of which may be done for such price or prices or consideration and to such person or persons, firm or corporation as my said Agent may determine, and to sign, execute, acknowledge and deliver such lease or leases, assignments, transfers or conveyances for the absolute sale, lease, mortgage, pledge or other disposal of any of said properties, or any part thereof, with such clauses, covenants, and agreements to be therein contained as my Agent may think necessary, proper or desirable.

3. I grant unto my Agent the full power and authority to do and perform each and every act, deed, matter and thing whatsoever required and necessary to be done which relates to real estate, including, but not limited to, leasing and



mortgaging said real estate and executing any necessary documents in relation thereto as fully as the undersigned might or could do if personally present and acting. I authorize said Agent to relinquish all rights of homestead, including but not limited to the statutory homestead share, and the distributive or elective share in and to all of any such real estate.

4. To appear in any court having jurisdiction of any action at law or in equity, or otherwise, involving my rights or property, and to prosecute, defend, arbitrate or compromise the matters or things involved therein.

5. To sign any and all checks, drafts or orders withdrawing funds from any commercial or savings account maintained by me; to open, maintain or close bank accounts, brokerage accounts, savings and checking accounts; to purchase, renew or cash certificates of deposit; to conduct any business with any banking or lending institution in regard to any of my accounts or certificates of deposit; to obtain bank statements, passbooks, drafts, money orders, warrants, certificates or vouchers payable to me by any person or entity, including the United States of America and expressly including the right to sell or cash U. S. Treasury Securities and Series E, EE and H Bonds.

6. To have full access to safe deposit boxes and the contents thereof.

7. To pay all city, county, state or federal taxes and to receive appropriate receipts therefor; to execute Form 2848, as amended, and to have full authority to execute power of attorney documents evidencing my Agent's right to the Internal Revenue Service or any other taxing authority to act for and on my behalf; to prepare, execute, file and obtain from the government income and other tax returns and other governmental reports, applications, requests and documents; to take any appropriate action to minimize, reduce or establish non-liability for taxes; to sue or take appropriate action for refunds of same; to appear for me before the Internal Revenue Service or any other taxing authority in connection with any matter involving federal, state or local taxes in which I may be a party, giving my Agent full power to do everything necessary to be done; to receive refund checks and deposit the same; to execute waivers of the statute of limitations, and to execute closing agreements with the Internal Revenue Service for on my behalf.

8. To employ professional and business assistants of all kinds, including, but not limited to, attorneys, accountants, realtors, appraisers, and agents.

9. To apply for benefits and participate in programs offered by any governmental body, administrative agency, person or entity including, but not limited

to, Medicare, Social Security benefits, and any and all other entitlement or benefit available to me.

10. To execute such documents as may be necessary to disclaim all or any part of an interest in property, whether real or personal, being bequeathed or distributed to me from any person or entity.

11. To proceed with all chattel and goods transactions, all bond share, mutual fund, and commodity transactions, and all insurance transactions. To sign any and all checks, drafts or orders withdrawing funds from any commercial or savings account maintained by me.

12. To pay any and all accounts, claims and demands now or hereafter payable by me and to act for me in connection with any business transaction or personal affairs in which I am engaged or shall hereafter become engaged, and generally to transact all business on my behalf and to make, execute and acknowledge all agreements, writings, assurances, or written instruments which may be required or necessary to effectuate any transaction to which I am a party and generally to act for me in all matters affecting my property or personal effects.

13. My Agent may transfer, assign, convey and deliver my interest in and to any assets which I may own now or in the future to:

> NEVA E. DEERR, Trustee, or her successor Trustees, under the Trust Agreement dated September 20, 1990 and all amendments thereto, with NEVA E. DEERR as Grantor.

In addition, my Agent shall have full power and authority to withdraw my interest in and to any assets which I may own now or in the future from the revocable trust referred to above and transfer said interest to my personal name.

14. This Power of Attorney shall not be affected by disability of the principal, NEVA E. DEERR, and shall terminate upon my death.

IN WITNESS WHEREOF, I have hereunto executed this General Durable

Power of Attorney this 9th day of January, 2002.

Neva E Deerr

NEVA E. DEERR

STATE OF IOWA)
) SS
COUNTY OF BLACK HAWK)

The undersigned, a Notary Public in and for the above County and State, certifies that NEVA E. DEERR, known to me to be the same person whose name is subscribed as Principal to the foregoing Power of Attorney, appeared before me in person and acknowledged signing and delivering the instrument as the free and voluntary act of the Principal for the uses and purposes therein set forth.

DATED: January 9, 2002

NOTARY PUBLIC

NOTARIAL SEAL IOWA
PETE M. WESSELS
Commission Number 165421
My Commission Expires
June 16, 2004