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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

TRUSTEE'S AFFIDAVIT
Recorder's Cover Sheet

Preparer Information:
Gary K. Norby
Kane, Norby & Reddick, P.C.
2100 Asbury Road, Suite 2
Dubuque, IA 52001

Taxpayer Information:
Matthew S. Wall
20482 247th Street
Delhi, IA 52223

Return Document To:
Matthew S. Wall
20482 247th Street
Delhi, IA 52223

Grantor:
Georgiana J. Boyd Trust
Diane Gallagher

Grantee:
Matthew S. Wall
Georgiana J. Boyd

Legal Description: See page 2

Document or instrument number of previously recorded documents:

TRUSTEE'S AFFIDAVIT

Re: Lot Five of the Cedars Sub-Division, according to Plat recorded in Book 2 of Plats, Pages 91 and 92; same being a part of the Northwest Quarter of the Southeast Quarter, of Section 14, Township 88 North, Range 5, West of the 5th P.M., North and East of the Maquoketa River, as shown on the Plat recorded in Plat Book 2, Page 31, of the records of Plats, in the Office of the Recorder of Delaware County, Iowa, together with easement for Roadway over the Twenty foot Roadway, shown as Lot Thirty One, and from the South end of said Lot Thirty One East to Public Highway, reserving to W.G. Van Vlack and Irma L. Van Vlack, previous owners, an easement for use in common by them and the Grantees herein named, their heirs, successors, and assigns, over and upon the Southeasterly five feet of said Lot Five herein sold, for use as a walkway only

AND

All lake frontage running to the middle of the Maquoketa River bed with regard to the following described real estate:
Lot Five of the Cedars Sub-Division, according to Plat recorded in Book 2 of Plats, Pages 91 and 92 and being a part of the Northwest Quarter of the Southeast Quarter of Section 14, Township 88 North, Range 5, West of the 5th P.M., North and East of the Maquoketa River, as shown on the Plat recorded in Plat Book 2, Page 31, of the Records of Plats, in the Office of the Recorder of Delaware County, Iowa

STATE OF IOWA, COUNTY OF DUBUQUE, ss:

I, Diane Gallagher, being first duly sworn on oath, state of my own personal knowledge that:

1. On April 1, 1996 Georgiana J. Boyd, my mother, executed and entered into a Revocable Trust Agreement with herself as trustee, which trust is known as the Georgiana J. Boyd Trust. Georgiana J. Boyd was not the sole beneficiary of the trust.

2. The above described real estate was conveyed to the Georgiana J. Boyd Trust by Warranty Deed dated April 26, 1996 and filed with the Delaware County Recorder on April 29, 1996 in Book 136 L.D., Page 264.

3. On February 17, 2004 Georgiana J. Boyd resigned as trustee of the Georgiana J. Boyd Trust and appointed the undersigned, Diane Gallagher, as the sole successor trustee effective February 17, 2004.

4. Georgiana J. Boyd died on June 17, 2004, a resident of the Delaware County, Iowa. At the death of Georgiana J. Boyd, the Georgiana J. Boyd Trust remained in effect and had not been revoked by Georgiana J. Boyd.

5. By reason of the death of Georgiana J. Boyd on June 17, 2004, the trust became irrevocable and I have continued to serve as the sole trustee of the trust since the death of Georgiana J. Boyd.

6. Section 5 of Article V of the Georgiana J. Boyd Trust provides in part:

> Section 5. Powers. The trustee shall hold, manage, care for and protect the trust property and shall have the following powers and, except to the extent inconsistent herewith, those now or hereafter conferred by law.
>
> (f) To sell at public or private sale, contract to sell, convey, exchange, transfer and otherwise deal with the trust property and any reinvestments thereof, and to sell covered call options, from time to time for such price and upon such terms as the trustee sees fit.

7. I, as the sole trustee of the Georgiana J. Boyd Trust, am authorized to convey the trust's interest in the above described real estate to Matt Wall and Shana Bacon without any limitation or qualification whatsoever.

8. The Georgiana J. Boyd Trust referred to in this affidavit remains in existence and I, as trustee, am authorized to transfer the interest in the real estate described above free and clear of any adverse claims.

9. The beneficiaries of the Georgiana J. Boyd Trust are her children, and none of said children are deceased.

Diane Gallagher

Diane Gallagher

Subscribed and sworn to before me by Diane Gallagher this 16 day of March, 2006.

Tyson R. Jacobi

Notary Public in and for State of Iowa

TYSON R. JACOBI
MY COMMISSION EXPIRES
JUNE
26
2006
COMMISSION NO. 723122
NOTARIAL SEAL - STATE OF IOWA