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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

PREPARED BY/RETURN TO: Michael O. McDermott, Shuttleworth & Ingersoll, P.L.C., P.O. Box 2107, Cedar Rapids, IA 52406-2107, (319) 365-9461

Address Tax Statement to: Ila Marquardt, 2048 110th Avenue, Masonville, IA 50654

AFFIDAVIT EXPLANATORY OF REAL ESTATE TITLE
AND
AFFIDAVIT OF POSSESSION PURSUANT TO SECTION 614.17
OF THE CODE OF IOWA

RE: That part of the Southwest Quarter of the Southeast Quarter of Section 29, Township 89, North Range Six, West of the Fifth P.M., described as beginning at a point on the South line of Section 29, 1.7 chains East of the Southwest corner of the Southwest Quarter of the Southeast Quarter of said Section; thence East to the center of Delhi and Independence State Road; thence along the centerline of said road in a Northeasterly direction 2.82 1/2 chains; thence in a Northwesterly direction 3.5 chains; thence in a Southwesterly direction 4.51 chains to the point of beginning, Delaware County, Iowa, subject to roadways and easements of record.

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

TO WHOM IT MAY CONCERN:

I, Ila Mae Marquardt, a resident of Delaware County, being first duly sworn on oath, depose and state as follows:

1. I am the surviving daughter of Dale J. Child, deceased, and of Mabel McKay Child, deceased, and as such am fully familiar with the facts stated herein.

2. Dale J. Child died testate on August 24, 1983. His Last Will and Testament dated June 19, 1979, and the First Codicil thereto dated July 23, 1981, were duly admitted to probate in the Delaware County District Court on November 2, 1983 and administered as Probate No. P-1900,, and the undersigned and Randy Charles Marquardt were appointed Executors of the Estate. Under the provisions of the decedent's Last Will and Testament, all of his property interests were distributed in equal shares to the Trustees of the Marital Trust established under the terms of Article V of his Will for the benefit of Mabel McKay Child, surviving spouse, and to the Family Trust established under Article VI of his Will. The undersigned and Randy Charles Marquardt served as Trustees of both of said Trusts. Upon the subsequent death of Mabel McKay Child on April 13, 1991, the property held in the Marital Trust was transferred and distributed to the Family Trust established under Article VI, which Family Trust then held each and all of the property interest of Dale J. Child. The Family Trust established under Article VI of the Last Will and Testament of Dale J. Child was administered in the Delaware County, Iowa District Court as Probate No. P-2855.

3. Mabel McKay Child died testate April 13, 1991, and her Last Will and Testament dated June 19, 1979 and the First Codicil thereto dated July 23, 1981, were admitted to probate and administered in the Delaware County, Iowa District Court as Probate No. P-3177. The undersigned and Randy Charles Marquardt served as Executors of the Estate. Pursuant to the provisions of the decedent's Last Will and Testament, and Codicil thereto, all of the residue of her Estate was transferred and distributed to the Mabel McKay Child Family Trust established under Article II of her Last Will and Testament of which the undersigned and Randy Charles Marquardt were duly-appointed as Trustees, and continue to serve as Trustees of the Mabel McKay Child Family Trust. The Mabel McKay Child Family Trust was subject to administration in the Delaware County, Iowa District Court as Probate No. P-3399.

4. The dispositive and administrative terms of the Family Trust established under Article VI of the Last Will and Testament of Dale J. Child and those of the Family Trust established under the terms of Article II of the Last Will and Testament of Mabel McKay Child were substantially identical, and each of the Trusts was administered for the benefit of the same beneficiaries and parties in interest. Accordingly, pursuant to the application of the Trustees of each of the said Trusts, and with the consent of each and all of the beneficiaries and parties in interest in each of the

Trusts, the Delaware County District Court entered its Enrolled Order on January 23, 1996 approving the application of the Trustees of both of said Trusts to consolidate the administration of the Trusts as a part of the Family Trust created under Article II of the Last Will and Testament of Mabel McKay Child. Subsequently, all of the assets formerly held in the Dale J. Child Family Trust were transferred and accepted by the Trustees of the Mabel McKay Child Family Trust, and from and after the date of the Court's said Enrolled Order entered January 23, 1996, the Trusts have been administered as a single, consolidated Trust pursuant to the terms of Article II of the Last Will and Testament of Mabel McKay Child. On or about August 20, 2001, the Delaware County, Iowa District Court entered its Enrolled Order approving the Trustees' Fourth Interim Report of the consolidated Trusts, and in addition approved the application of the Trustees that the Trust be released from Court jurisdiction pursuant to Section 633.10(4)(d) of the Code of Iowa, and subsequently said Trust has continued to be administered by the undersigned and Randy Charles Marquardt as Trustees, though no longer as Court-administered Trust.

5. The above-described real estate is an undeveloped parcel of property consisting of less than one (1) acre of inconsequential monetary value, having an assessed value less than one hundred dollars ($100.00). The above-described property is undeveloped real estate lying adjacent to a cemetary on one boundary and the Delhi Independence State Road, now closed, on another boundary. The undersigned has been advised that Dale J. Child and Mabel McKay Child acquired an interest in the above-described real estate as tenants in common by Quit Claim Deed filed of record in Delaware County, Iowa on December 29, 1955 as Deed Record No. 78. The deed is shown on its face to have been given as a corrective deed, however, there is no record of a prior conveyance of the parcel, or of any adjacent parcel, to either Dale J. Child or Mabel McKay Child for which the corrective deed is given.

6. The undersigned had no previous record or knowledge of the Quit Claim Deed filed of record December 29, 1955, nor an abstract of title with respect to the property. As a result, the above-described real estate was not identified or included in the record of the Estate administration of either Dale J. Child or Mabel McKay Child through inadvertence, and because the undersigned and Randy Charles Marquardt were unaware of the claimed ownership interest in the property of either party. The undersigned is advised that Dale J. Child and Mabel McKay Child continued to be assessed for real estate taxes on the above-described real

estate, and paid said taxes throughout their lifetimes under claim of ownership of the property. The property has continued to be assessed to the Mabel McKay Child Family Trust with other property owned by the Trust, and the Trustees have continued to pay the taxes applicable to the above-described real estate at all times since the deaths of Dale J. Child and Mabel McKay Child as a part of the annual tax assessment and billings of Delaware County covering the other parcels of real estate owned by the Trust.

7. Under the applicable provisions of the Last Will and Testament of Dale J. Child, and the Last and Testament of Mabel McKay Child, the respective interests of Dale J. Child and Mabel McKay Child in the above-described real estate were transferred and conveyed to the respective Family Trusts established under Article VI of the Last Will and Testament of Dale J. Child, and under Article II of the Last Will and Testament of Mabel McKay Child. Subsequently, the ownership interests in the above-described property were transferred and consolidated in the Mabel McKay Child Trust established under Article II of the Last Will and Testament of Mabel McKay Child, deceased, and have continued to be held at all times as assets of the Mabel McKay Child Family Trust established under Article II of her Last Will and Testament. Accordingly, title to the above-described real estate is thereby held, claimed and vested in the undersigned and Randy Charles Marquardt as Trustees of the Mabel McKay Child Family Trust established under Article II of her Last Will and Testament.

8. The undersigned and Randy Charles Marquardt as Trustees of the Mabel McKay Child Family Trust established under Article II of her Last Will and Testament are in complete, actual and sole possession of the real estate described above, and they, and their predecessors in interest, have been in possession of the above-described real estate under claim of ownership at all times following receipt of the Quit Claim Deed described above, and continue to be in possession of said real estate under claim of ownership at the date hereof. This Affidavit is given for the purpose of confirming title to the above described real estate under the provisions of Section 614.17 and 614.17A of the Code of Iowa and other statutes relative thereto.

9. That the above statements are true and correct to the best of my knowledge and belief.

DATED this 20 day of July, 2006.

Ila Mae Marquardt
ILA MAE MARQUARDT

The foregoing document was signed and acknowledged before me by Ila Mae Marquardt this 20th day of July, 2006.

JOANN HEFFERNAN
Notarial Seal - Iowa
Commission # 221059
My Commission Expires 2-19-08

JoAnn Heffernan
NOTARY PUBLIC - STATE OF IOWA

RECORDERS CERTIFICATE

The undersigned Recorder hereby certifies that the foregoing affidavit was filed in the Recorder's Office by the owner in possession as named in the affidavit or by the attorney-in-fact as shown by the records, and duly recorded and entered on the records on the 23rd day of AUGUST, 2006.

Deborah L. Peyton
DEBORAH L. PEYTON, Recorder

STATE OF IOWA, COUNTY OF Delaware :ss

This instrument was acknowledged before me on 8-23, 2006, by Deborah L. Peyton.

Sharon McCrabb
NOTARY PUBLIC - STATE OF IOWA

SHARON McCRABB
Commission Number 002573
My Comm. Exp. 6-14-08