Book 2008 Page 457

Document 2008 457 Type 06 010 Pages 2
Date 2/20/2008 Time 2:28:59PM
Rec Amt $12.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

FF M BK
Barb Parker
1914 Hwy 13
Manchester IA 52057

Prepared by Jon J. Wessels, 809 W 1st Street, Cedar Falls, IA 50613 (319)277-8883
After recording mail to: Jon J. Wessels, 809 W 1st Street, Cedar Falls, IA 50613

STATE OF IOWA)
)SS.
COUNTY OF DELAWARE)

AFFIDAVIT IN RE:

The East One-half of the Northwest Quarter (E ½ NW ¼) and the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) and the West One-half of the Southwest Quarter of the Northeast Quarter (W ½ SW ¼ NE ¼) and the East One-half of the Southwest Quarter (E ½ SW ¼) and the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼) and the West One-half of the Northwest Quarter of the Southeast Quarter (W ½ NW ¼ SE ¼) of Section 17, and that part of the North One-half of the Northeast Quarter of the Northwest Quarter (N ½ NE ¼ NW ¼) of Section 20, lying East of Highway 13, except commencing at the quarter section corner on the line between said Sections 17 and 20, thence West on said line 9 chains 88 links, thence South 10 chains, thence East 10 chains to the quarter section line, thence North 10 chains to the beginning, and further excepting a strip of land described as commencing at above described quarter section corner, thence East 10 chains on the section line, thence North 1 chain, thence West 10 chains, thence South 50 links, thence West 9 chains 88 links, thence South 50 links, thence East on section line 9 chains 88 links to point of beginning; also all that part of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW ¼ NE ¼ NW ¼) of Section 20, lying North of the Jones Road and East of Highway 13, all in Township Eighty-nine North (T 89 N), Range Five West (R 5 W) of the 5th P.M., Delaware County, Iowa.

EXCEPT, lots One (1) and Three (3) of Lux Trust Subdivision of Part of Parcel 3 of Hayes Subdivision of part of the SE ¼, SW ¼, And of the SW ¼, SE ¼ of Section 17, And Part of the NW ¼ and N ½, SW ¼ And the W ½, NE ¼ of Section 20, All of T89N, R5W of the 5th P.M.; And Part of the NE ¼, NW ¼ of Section 20, T89N, R5W of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 6 Plats, Page 212.

* * *

I, ANDREW J. LOESCHE, the undersigned, being first duly sworn on oath, state as follows:

1. I am the sole surviving Trustee of the ANDREW AND MELAINE LOESCHE REVOCABLE TRUST, DATED NOVEMBER 10, 1993, and the sole Trustee of the MELAINE B. LOESCHE TRUST, created according to the terms of the ANDREW AND MELAINE LOESCHE REVOCABLE TRUST. Both Trusts are in full force and effect as of the date of this Affidavit.

2. The above-referenced real property (the "Real Property") was transferred to the initial trustees, Andrew J. Loesche and Melaine B. Loesche, by Warranty Deed dated November 10, 1993, and recorded in the Delaware County Recorder's Office on November 15, 1993, in Book 132 and Page 133, as File No. 334-1507.

3. MELAINE B. LOESCHE died on May 2, 2007.

4. As trustee I am authorized to convey marketable title to the Real Property, by Warranty Deed, to bona fide purchasers for value, without any limitation or qualification whatsoever, free of any liens or encumbrances except those of record, and free of any adverse claims.

DATED THIS 1st DAY OF FEBRUARY, 2008.

Andrew J Loesche
ANDREW J. LOESCHE, Affiant
As Trustee of the above entitled Trust

STATE OF IOWA)
)SS:
COUNTY OF DELAWARE)

Sworn to (or affirmed) and subscribed before me by ANDREW J. LOESCHE on this 1st day of February, 2008, as his free and voluntary act and deed, in his individual capacity and in his fiduciary capacity as Trustee.

JON J WESSELS (SEAL) COMMISSION NUMBER 134486 MY COMMISSION EXPIRES 3/24/2010 NOTARIAL SEAL - IOWA

Notary Public in and for Iowa
Jon J Wessels
Print Name of Notary Public