Book 2009 Page 1435
Document 2009 1435 Type 06 010 Pages 3
Date 4/13/2009 Time 2:46:11PM
Rec Amt $17.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by and Return to: Steven E. Carr, 117 S. Franklin St., PO Box 333, Manchester, IA 52057 (563) 927-4164

# AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA )
) ss.
DELAWARE COUNTY )

The undersigned after being duly sworn on oath, states as follows:

1. This affidavit has to do with the following described real estate:

> Lots Eight (8) and Nine (9), except the West fifty (50) feet of said Lot Nine (9), Block Twelve (12), Pitkin's Addition to Nottingham, Delaware County, Iowa, now a part of the incorporated Town of Earlville, Iowa, according to plat recorded in Book I L.D., Pages 456-457.

2. The undersigned Duane Nieman, Dale Smock and Joanne Laxson are President, Secretary and Treasurer respectively of the church council of Immanuel Lutheran Church.

3. Immanuel Lutheran Church is the successor of the German Evangelical Lutheran Congregation of Earlville, Iowa which appears in a Quit Claim Deed filed August 5, 1880 in Book I, T.L.D., Page 273.

4. Articles of Incorporation of Immanuel Evangelical Lutheran Church of Earlville, Iowa were filed June 11, 1949 in Book 4 Art. of Inc., Pages 116-117. Immanuel Evangelical Lutheran Church of Earlville, Iowa is now known as Immanuel Lutheran Church.

5. Although dissolved in 1999 according to the provisions of Article I in the Articles of Incorporation, the church continued operating as a de facto corporation under the same Articles and Bylaws.

6. Notice of a special meeting held November 11, 2007 was mailed to each church member. This notice stated that there would be discussion and voting on the possible closing of Immanuel Lutheran Church and sale of its assets including real estate.

7. At the November 11, 2007 special meeting the congregation passed a resolution that included authorization of the church council to carry out the transfer of title to the above described real estate.

8. The undersigned are the council members authorized to sign any instrument with respect to the conveyance of real estate owned by the church.

Dated this 10 day of ~~March~~ April, 2009.

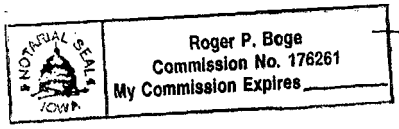
Duane Nieman pres.
Duane Nieman

Joanne Laxson Treas.
Joanne Laxson

Secretary
Dale Smock

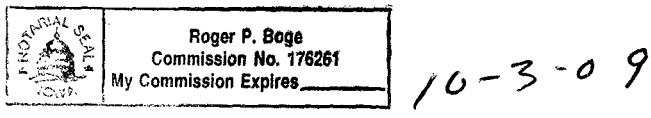
Subscribed and sworn to before me by Duane Nieman as President of Immanuel Lutheran Church this 10 day of ~~March~~ April, 2009.

Roger P Boge
- Notary Public in and for the State of Iowa




Subscribed and sworn to before me by Joanne Laxson as Treasurer of Immanuel Lutheran Church this 10 day of ~~March~~ April, 2009.

Roger P Boge
- Notary Public in and for the State of Iowa




Subscribed and sworn to before me by Dale Smock as Secretary of Immanuel Lutheran Church this 10 day of ~~March~~ April, 2009.

Roger P Boge
- Notary Public in and for the State of Iowa

