Book 2009 Page 4055

Document 2009 4055 Type 06 010 Pages 3
Date 10/27/2009 Time 2:52:26PM
Rec Amt $19.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Individual Trustee's Affidavit

THE IOWA STATE BAR ASSOCIATION
Official Form No. 113

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)
Steven E. Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057, Phone: (563) 927-4164

Taxpayer Information: (Name and complete address)
James B. Harbach, 17740 221st Street, Manchester, Iowa 52057

Return Document To: (Name and complete address)
Steven E. Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057, Phone: (563) 927-4164

Grantors:
Ruth Harbach

Grantees:
James B. Harbach

Legal description: See Page 1 #3

Document or instrument number of previously recorded documents:

© The Iowa State Bar Association 2005
IOWADOCS®

INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE:
See 1 in Addendum

State of IOWA County of DELAWARE ss:

I, Ruth Harbach, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the trustee under the Trust dated November 30, 2004, to which the above-described real estate was conveyed to the trustee by Warranty Deed, pursuant to an instrument recorded the 3rd day of December, 2004, in the office of the Delaware County Recorder in Book 2004, Page 4491 (insert recording data).

2. I am the presently existing trustee under the Trust and I am authorized to convey the above described real estate to James B. Harbach

(describe the transfer to be made by the trustee to the bona fide purchaser), without any limitation or qualification whatsoever.

3. The Trust is in existence and I, as trustee, am 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 is alive.

5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.

Ruth Harbach 10/27/09
Ruth Harbach Affiant

Signed and sworn to (or affirmed) before me on October 27, 2009, by Ruth Harbach

STEVEN E. CARR
Commission Number 713328
My Commission Expires
October 30, 2010

Steven E. Carr, Notary Public

© The Iowa State Bar Association 2005
IOWADOCS®

Addendum

1. All that part of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Twenty Nine (29) lying Westerly of the Maquoketa River, except the West six hundred sixty (660) feet thereof, and the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty Nine (29), and all that part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Twenty Eight (28) lying Southerly of the Maquoketa River, all in Township Eighty Eight (88) North, Range Four (4), West of the Fifth P.M.; also all that part of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) and of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Twenty Eight (28) lying South and West of the Maquoketa River, and that part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) and of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Thirty Three (33) lying North and West of the Maquoketa River, and that part of the Northwest Quarter (NW¼) of Section Thirty Three (33) described as commencing at the Southwest corner of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section Thirty Three (33), running thence East on the Quarter Section line three hundred fifty five and one-half (355½) feet, thence North two hundred seventy nine (279) feet, thence North 36°45' West four hundred ninety (490) feet, thence North 14°25' West nine hundred (900) feet to the West line of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Thirty Three (33), thence South one thousand six hundred (1600) feet to the point of beginning; all in Township Eighty Eight (88) North, Range Four (4), West of the Fifth P.M