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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return to &
PREPARED BY: Michael A. Bowman, Shimanek & Bowman, 114 S. Cedar St., Monticello, IA 52310, PH: (319) 465-5448
Send Tax Statement To: Gary Gates, 2826 310th St., Hopkinton, IA 52237

STATE OF IOWA)
) **ss.** **AFFIDAVIT RE: TITLE**
COUNTY OF JONES)

I, Michael A. Bowman, being first duly sworn, do hereby depose and state under oath as follows:

1. That I am a practicing attorney in Monticello, Iowa, and I have been engaged as an attorney since 1978.

2. That I prepare this affidavit to assist in clarifying title to the following described property, located in Delaware County, Iowa, to-wit:

(See attached Exhibit A for full legal description) page 3

3. That Jean J. Lux took title to this property by quit claim deed filed for record on February 21, 1939, and recorded in Book 66, page 496 of the Delaware County Reocrds.

4. That Jean J. Lux died on November 8, 1970.

5. That the Jean J. Lux who took title to this property in 1939 is one and the same person as Jean J. Lux who died on November 8, 1970.

6. That the last will and testament of Jean J. Lux established a trust, first for the benefit of her husband, Russell E. Lux, and then to the benefit of her grandchildren, namely:

Daniel F. Lux, Barbara A. Lux, Russell Lux, Thomas Lux, Jean D. Lux, William Lux, James W. Lux, David A. Lux, Johnathan S. Lux, and Julia K. Lux

7. That the trust was established as probate case no. 7948 on March 6, 1972 and terminated on February 4, 1986. There is no record of a transfer from the estate to the trust, nor to the residual beneficiaries from the trust.

8. Russell E. Lux, spouse of Jean K. Lux died on September 27, 1975.

9. All the residual beneficiaries of the trust, being those named in paragraph no. 5 above, have transferred their interest in this property to Gary Gates and Cheryl Gates.

Further, this affiant sayeth not.

Dated this 1st day of August, 2011.

Michael A. Bowman

STATE OF IOWA)
) **ss.**
JONES COUNTY)

On this 1st day of August, 2011 before me, the undersigned, a Notary Public in and for said State, personally appeared Michael A. Bowman, to be known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

NOTARIAL SEAL IOWA
CINDA PETRICK
COMMISSION # 199043
MY COMMISSION EXPIRES
10-20-2013

Notary Public in and for said State

EXHIBIT A

A strip of land described as commencing at the Northeast corner of Lot Twenty Five (25) of H. A. Carter's Out Lots to Hopkinton, Iowa, according to plat recorded in Book 19 L.D., Page 101, and running thence South 67 1/2° East forty one (41) links to a point on the East line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Eighty Seven (87) North, Range Three (3), West of the Fifth P.M.., thence South along said East line and the East line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW ¼) of said Section Nineteen (19) to a point five and seventy seven hundredths (5.77) chains South of the Southeast corner of said Northwest Quarter (NW¼) of the Northwest Quarter (NW¼), thence at right angles West to a point fifty six and sixty four hundredths (56.64) rods East of the West line of said Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), thence North and parallel with said West line to the South line of said Carter's Out Lots to Hopkinton, Iowa, thence East on said South line to the Southeast corner of Lot Nineteen (19) of said Carter's Out Lots, thence North along the East side of said Carter's Out Lots to the place of beginning.