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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Gary J. Streit ISBA # 5374, ICIS Pin # AT0007662

SPACE ABOVE THIS LINE
FOR RECORDER

Preparer Information: Gary J. Streit, Shuttleworth & Ingersoll, P.L.C., P.O. Box 2107, Cedar Rapids, IA 52406-2107, (319) 365-9461
Return to: Gary J. Streit, Shuttleworth & Ingersoll, P.L.C., P.O. Box 2107, Cedar Rapids, IA 52406-2107
Mail Tax Statement to: Eddie Earl Horton, 4359 Shady Bend, Dallas, Texas 75244

AFFIDAVIT OF EDDIE EARL HORTON AS SURVIVING SPOUSE

STATE OF IOWA, COUNTY OF LINN, ss.

I, Eddie Earl Horton, being first duly sworn on oath, depose and state as follows:

1. I am the surviving spouse of Jimmie Lou Perkins Horton (the "Decedent"), who died on December 21, 2011.

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2. The real estate described on the attached Exhibit A was owned by the Horton Family Living Trust under Trust Agreement dated March 2, 1995 (the "Trust"), at the time of the Decedent's death.

3. An Iowa inheritance tax return is required to be filed as a result of the death of the Decedent, but there is no liability for Iowa Inheritance Taxes, pursuant to section 450.9 of the Iowa Code because all property in which the Decedent had an interest continues to be held in trust by the Trust for my benefit as her surviving Spouse.

4. A United States estate tax return is being filed as a result of the death of the Decedent, but there is no liability for Federal Estate Taxes because the total value of all property in which the Decedent had a direct or indirect interest was less than the applicable Federal Estate Tax Exemption Equivalent in effect in 2011.

Eddie Earl Horton

Eddie Earl Horton

Subscribed and sworn to before me on July 16, 2012 by Eddie Earl Horton.

Notary Public

GARY J. STREIT
Commission Number 100633
My Commission Expires
August 29, 2014

Exhibit "A"

Certain real property in Delaware County, Iowa, described as follows:

Parcels B and C in the SE ¼ of the SE ¼ of Section 18, Township 88 North, Range 6 West of the 5th P.M., Delaware County, Iowa, according to the Plat of Survey recorded on December 22, 2008, in Book 2008, Page 3883 of the records of the office of the Delaware County Recorder, subject to easements and restrictions of record; containing 40 acres, more or less,

and

the North one hundred forty (140) acres of the Northeast Quarter (NE ¼) except the South seven hundred ten (710) feet of the East three hundred sixty-two (362) feet thereof, in Section Eighteen (18), Township Eighty-eight (88) North, Range Six (6) West of the Fifth P.M., subject to easements and restrictions of record; containing 134 acres, more or less,

and

The Southwest Fractional Quarter of Section Seven (7), Township Eighty-nine (89) North, Range Six (6) West of the Fifth Principal Meridian, Delaware County, Iowa, excepting therefrom the following:

Parcel "A" being part of the Southwest ¼ of the Southwest ¼ and part of the Northwest ¼ of the Southwest ¼ of Section 7, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, as recorded in survey of plat in Book 1999, Page 2570 of the records of the office of the Delaware County Recorder,

and also excepting therefrom the following:

Parcel B, part of the Southwest ¼ of the Southwest ¼ of Section 7, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, according to Plat of Survey recorded on August 24, 2009, in Book 2009, Page 3338 of the records of the office of the Delaware County Recorder,

but also including the following:

An access easement for ingress and egress to a grain bin over the driveway located on Parcel "A" being part of the Southwest ¼ of the Southwest ¼ and part of the Northwest ¼ of the Southwest ¼ of Section 7, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, as recorded in survey of plat in Book 1999, Page 2570, in the office of the Delaware County, Iowa Recorder, as reserved in a Trustee Warranty Deed recorded on December 30, 2003, in Book 2003, Page 5933 of the records of the office of the Delaware County Recorder.