Book 2012 Page 4205
Document 2012 4205 Type 06 010 Pages 3
Date 12/07/2012 Time 12:11:15PM
Rec Amt $17.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

*Affidavit*

**Preparer information:** **Keith A. Kramer, 2602 315th Street, Hopkinton, IA 52237 563-920-6256** *(name, address & phone number)*

**Taxpayer information: N/A** *(name & complete address)*

**Return Document to:** **F&M Savings Bank, 101 E. Main St., Manchester, IA 52057** *(name & complete address)*

**Grantors:**
**Teresa Zirkelbach**

**Grantees:**
**Zachary J.**
**Less Irrevocable Trust**

**Legal Description is located on page: 2**

**Document or instrument number of previously recorded documents:**

# Affidavit

## Re:

THAT PART OF THE SOUTHEAST QUARTER (SE¼) of the SOUTHWEST FRACTIONAL QUARTER (SWfr¼) of SECTION EIGHTEEN (18) and of the NORTHEAST QUARTER (NE¼) of the NORTHWEST FRACTIONAL QUARTER (NWfr¼) of SECTION NINETEEN (19), TOWNSHIP EIGHTY SEVEN (87) NORTH, RANGE THREE (3), WEST of the FIFTH P.M. DESCRIBED AS COMMENCING at the SOUTHEAST CORNER of said SOUTHEAST QUARTER (SE¼) of SOUTHWEST FRACTIONAL QUARTER (SWfr¼) of SECTION EIGHTEEN (18) and RUNNING THENCE NORTH FIVE HUNDRED FIFTY (550.0) FEET to the SOUTHEAST CORNER of the CEMETERY, THENCE NORTH 68°55' WEST SEVEN HUNDRED SIXTY EIGHT (768.0) FEET, THENCE SOUTH 21°00' WEST SIXTY ONE (61.0) FEET, THENCE NORTH 66°00' WEST to the EAST LINE OF IOWA HIGHWAY NO. 38, THENCE SOUTHEASTERLY ALONG said EAST LINE OF HIGHWAY to its INTERSECTION WITH the EAST LINE of the NORTHEAST QUARTER (NE¼) of the NORTHWEST FRACTIONAL QUARTER (NWfr¼) of said SECTION NINETEEN (19), THENCE NORTH to PLACE of BEGINNING; EXCEPTING THOSE TRACTS DESCRIBED as COMMENCING at the INTERSECTION of the CENTER LINE of said HIGHWAY NO. 38 with the EAST LINE of the NORTHEAST QUARTER (NE¼) of the NORTHWEST FRACTIONAL QUARTER (NWfr¼) of said SECTION NINETEEN (19) and RUNNING THENCE NORTHWESTERLY ALONG CENTER LINE of said HIGHWAY SEVEN HUNDRED FIFTY AND ONE-TENTH (750.1) FEET, THENCE at RIGHT ANGLES NORTHEASTERLY ONE HUNDRED FIVE (105.0) FEET to POINT of BEGINNING, WHICH POINT is on the NORTH RIGHT-OF-WAY LINE of said HIGHWAY NO. 38, THENCE CONTINUING NORTHEASTERLY ONE HUNDRED TEN (110.0) FEET, THENCE at RIGHT ANGLES NORTHWESTERLY TWO HUNDRED (200.0) FEET, THENCE at RIGHT ANGLES SOUTHWESTERLY EIGHTY SIX and SIX-TENTHS (86.6) FEET to the NORTH RIGHT-OF-WAY LINE of said HIGHWAY NO. 38, THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TWO HUNDRED ONE and SEVEN-TENTHS (201.7) FEET to the POINT of BEGINNING, and also EXCEPTING COMMENCING at the LAST DESCRIBED POINT of BEGINNING and RUNNING THENCE NORTHEASTERLY at RIGHT ANGLES to CENTER LINE of said HIGHWAY NO. 38 a DISTANCE of ONE HUNDRED (100.0) FEET, THENCE at RIGHT ANGLES SOUTHEASTERLY ONE HUNDRED FIFTY (150.0) FEET, THENCE at RIGHT ANGLES SOUTHWESTERLY to the NORTH RIGHT-OF-WAY LINE of said HIGHWAY NO. 38, THENCE NORTHWESTERLY ALONG said RIGHT-OF-WAY LINE to POINT of BEGINNING.

STATE OF IOWA )
) SS
COUNTY OF DELAWARE )

I, Teresa Zirkelbach, being first duly sworn upon oath, depose and state as follows:

1. I am the presently existing trustee under the Zachary J. Less Irrevocable Trust, dated February 6, 2002, which currently has title to the above legally described real estate.

2. I have been informed that in the chain of title to the above described real estate that references to the trust have stated that the trust is a "revocable" or "irrevocable" trust; and, further that the date of the trust as either February 5, 2002 or February 6, 2002.

3. I am providing this Affidavit to clear this apparent confusion to state that this trust is an irrevocable trust and the correct date of the trust is in fact February 6, 2002, of which I am the duly designated and appointed trustee.

Further, affiant sayeth not this 6th day of December, 2012.

Teresa Zirkelbach

Signed and sworn to before me this 6th day of December, 2012, by Teresa Zirkelbach.

STEVE FABER
Commission Number 759312
My Comm. Exp. 2-28-13

(Notary Seal)

Notary Public in and for the State of Iowa