Book 2013 Page 461

Document 2013 461 Type 06 010 Pages 1
Date 1/31/2013 Time 10:18:27AM
Rec Amt $7.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by: Arthur F. Gilloon, of Gilloon, Wright & Hamel, P.C., 770 Main Street, Dubuque, IA 52001-6820; (563) 556-6433

Return to: Arthur F. Gilloon, of Gilloon, Wright & Hamel, P.C., 770 Main Street, Dubuque, IA 52001-6820; (563) 556-6433

AFFIDAVIT PURSUANT TO IOWA CODE CHAPTER 614.14

Re: **The East One Half (E ½) of the North East Fractional One Fourth (NEfr. ¼) and Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) lying North of Present highway Section 1 in Township 89 North, Range 3 West of the 5th P.M., in Delaware County, Iowa.**

The following property is included in and part of the above described property, Commencing 397 1/3 feet south of the Northeast corner of the East ½ of the Southeast ¼ of Section Number One, in Township No. 89, North of Range Number 3, West of the 5th P.M., in Delaware County, Iowa, thence North 397 1/3 feet, thence West 148 feet, Thence South 115 feet, thence in a southeasterly direction to place of beginning, containing 87 1/2/100ths acres; also commencing 292 6/12 feet West of the Northeast corner of the East ½ of the Southeast ¼ of said Section No. One, thence East 144 6/12 feet, thence South 115 feet, thence in a Northwesterly direction to the place of beginning, containing 19 1/2/100ths acres, both of said tracts containing 1 and 78/100 acres, in Delaware County, Iowa.

STATE OF IOWA, DUBUQUE COUNTY, SS:

1. I, Henrietta E. Lueck, being first duly sworn and under oath, state of my personal knowledge that I am the Trustee Under the Trust Dated August 28, 1995, as Amended November 4, 2011, to which the above described real estate was conveyed by the Trustee by Warranty Deed, pursuant to an instrument recorded on the 19th day of December, 2012, recorded in the Office of the ~~Dubuque~~ DELAWARE County, Iowa Recorder in Book 2012, Page 4381.

2. I am the presently existing Trustee under the Trust and am authorized to sell and transfer the above described real estate to Marilyn A. Noel and Michael J. Noel, without any limitation or qualification whatsoever.

3. The Trust is in existence and I as Trustee am authorized to transfer the interests in the above described real estate, free and clear of any adverse claims, and I do hereby state and assert that the real estate is free and clear of any adverse claims.

FURTHER AFFIANT SAYETH NOT.

Dated this 29th day of January, 2013.

Henrietta E. Lueck, as Trustee Under Declaration of
The Lueck Family Living Trust Dated August 28, 1995,
as Amended November 4, 2011

BY: Henrietta Lueck
Henrietta E. Lueck, Trustee

Subscribed and sworn to before me by Henrietta E. Lueck, Trustee, this 29th day of January, 2013.

NOTARIAL SEAL IOWA
ARTHUR F. GILLOON
COMMISSION NO. 111248
MY COMMISSION EXPIRES
1/10/2014

Notary Public