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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Tax Statement: John F. Wendling 1538 150th St., Dundee, IA 52038
Prepared by David W. Kubicek, Simmons Perrine Moyer Bergman PLC
And return to: 115 Third Street SE - Suite 1200, Cedar Rapids, Iowa 52401 (319) 366-7641

EHV

SPACE ABOVE THIS LINE FOR RECORDER

AFFIDAVIT

RE: See Exhibit "A" attached hereto and incorporated herein by reference (page 2)

STATE OF IOWA, COUNTY OF LINN, ss:

I, **KYLE W. WILCOX**, being first duly sworn (or affirmed) under oath depose and state that I am the attorney for the Wendling Family Trust. The trustee of the trust is BankIowa, Cedar Rapids, Iowa, as shown in the Order filed with the Iowa District Court on October 22, 2013, a copy of which is attached hereto as Exhibit "B".

Dated this 18th day of December, 2013.

KYLE W. WILCOX

SIGNED and SWORN to before me on December 18, 2013 by **KYLE W. WILCOX.**

Notary Public in and for said State
My Commission Expires: 11-9-2016

NOTARIAL SEAL IOWA
BRANDY A RASCHKE
COMMISSION NUMBER 749826
MY COMMISSION EXPIRES
11-9-2016

EXHIBIT "A"
LEGAL DESCRIPTION

That part of the Southeast (SE ¼) of the Northeast Quarter (NE ¼) of Section Thirty-five (35), Township Ninety (90) North, Range Six (6), West of the Fifth Principal Meridian, Delaware County, Iowa, described as commencing at the Northwest corner thereof, and running thence East eighty (80) rods, thence South eighty (80) rods, thence Northwesterly to the place of beginning, excepting therefrom, Parcel D (Parcel "D" in the SE ¼ of the NE ¼ of Section 35-90-6, according to plat recorded in Book 2001, Page 2743),

AND

The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-eight (28), and the East one-half (E ½) of the Northwest Quarter (NW ¼) of Section Thirty-three (33), Township Ninety (90) North, Range Six (6), West of the Fifth P.M., Delaware County, Iowa; also commencing fifty-three and one-third (53 1/3) rods North of the Southeast corner of said Section Twenty-eight (28), and running thence North on the Section line twenty six and three fourths (26 ¾) rods, thence West one hundred sixty (160) rods, thence South twenty-six and three-fourths (26 ¾) rods, thence East one hundred sixty (160) rods to the place of beginning, except the cemetery,

And

All that part lying West of the highway of the South one-third (S 1/3) of the Southeast Quarter (SE ¼) of Section Twenty-eight (28), Township Ninety (90), North, Range Six (6), West of the Fifth Principal Meridian, Delaware County, Iowa.

Exhibit "B"

IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

IN RE THE WENDLING FAMILY TRUST	)	Case No. TRPR005015
	)	ORDER

2013 OCT 22 AM 11:42

On this 22 day of October, 2013, the Application for Appointment of Successor Trustee being on file, and the Court having reviewed the contents thereof, **THE COURT FINDS**:

1. All of the beneficiaries of the above-captioned trust (hereinafter "the Trust") have joined in the Application for Appointment of Successor Trustee, either individually or by way of virtual representation under Iowa Code Sections 633A.6303 and 633A.6304. All interested parties entitled to Notice have joined in the Application such that no notice is required before this Petition is adjudicated by the Court.

2. The Application for Appointment of Successor Trustee has been properly verified by John F. Wendling. John F. Wendling lives in Delaware County, Iowa.

3. GNB Bank, Grundy Center, Iowa as successor to First State Bank, has resigned as trustee of the Trust.

4. BankIowa, Cedar Rapids, Iowa, has agreed to assume the office of trustee vacated by GNB Bank and to hold the assets of the Trust. All of the beneficiaries of the Trust agree that this is in the best interest of the Trust.

5. No material purpose of the Trust will be adversely affected by allowing the requested change in trustees.

6. The Court has power to grant all of the requested relief pursuant to Iowa Code Section 633A.6101 and Iowa Code Section 633A.6202(j, and k) (empowering the court to approve resignations of trustees and appoint trustees).

ACCORDINGLY, IT IS HEREBY ORDERED:

A. The resignation of GNB Bank, as successor in interest of First State Bank, as Trustee of the Trust is accepted, effective as of the date of this Order.

B. BankIowa, Cedar Rapids, Iowa, is appointed, effective as of the date of this Order, as sole successor Trustee of the Trust in place of GNB Bank. All assets of the Trust, shall be moved to BankIowa's office at 2701 Edgewood Parkway SW, Cedar Rapids, Iowa, effective immediately.

C. Upon filing of a court officer's oath, the Clerk of Court shall issue Letters of Appointment to BankIowa as trustee of the Trust.

D. The Application has been granted in full and the Trust is not a court-administered trust. Accordingly, the above-captioned matter is closed.

Dated this 22 day of October, 2013.

THOMAS A. BITTER

Judge of the First Judicial District of Iowa