

LISA SMITH, COUNTY RECORDER
MADISON IOWA

CHEK

Prepared by: James L. Bergkamp, Jr., ICIS #AT0000823
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Return to: James L. Bergkamp, Jr., Hefner & Bergkamp, P.C.
218 S. 9th St., Adel, IA 50003

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA, POLK COUNTY, ss:

I, James E. McCarthy, after being duly sworn on oath depose and state as follows:

1. I am a duly licensed attorney and practice law in the State of Iowa.
2. I have represented Geneva J. Burger and Harvey D. Burger for numerous years and am the attorney who assisted in creating trusts for them for estate planning purposes.
3. I know that whenever there is a reference to the Geneva J. Burger First Restated Revocable Trust dated November 1, 2001, the Geneva J. Burger Trust, the Geneva J. Burger Revocable Trust dated July 10, 1995, or the Geneva J. Burger Revocable Trust dated July 10, 1995, as Restated, that such references are to one and the same trust.
4. This affidavit is provided to explain title and clear any cloud of title due to such name discrepancies to the following described real estate:

The South Fractional Half (1/2) of the Northwest Quarter (1/4) and the Northeast Quarter (1/4) of the Southwest Quarter (1/4) and the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Six (6), in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT Parcel "A" located in the Southeast Quarter (1/4) of the Northwest Quarter (1/4), and in the Northeast Quarter (1/4) of the Southwest Quarter (1/4) and in the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of said Section Six (6), containing 8.787 acres, as shown in Plat of Survey filed in Book 2, Page 492 on August 2, 1994, in the Office of the Recorder of Madison County, Iowa.

5. The statements herein contained are true and correct as I verily believe.

Further affiant sayeth not.

James E. McCarthy
James E. McCarthy

This instrument was acknowledged before me on June 13, 2008, by James E. McCarthy

Carol J. Kuehl
Notary Public in and for the State of Iowa

