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**AFFIDAVIT**

MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

STATE OF \_\_\_\_\_ )  
  SS:  
COUNTY OF \_\_\_\_\_ )

REC \$ 10<sup>00</sup>  
AUD \$         
R.M.F. \$ 1<sup>00</sup>

I, Ralinda Tonasket, being first duly sworn on oath depose and state of my personal knowledge that:

1. I am the trustee under the Trust dated June 1, 1994, to which the below legally described real estate was conveyed to the trustee by Warranty Deed, pursuant to an instrument recorded on the 20<sup>th</sup> day of June, 1995, recorded in the office of the Madison County Recorder in Book 134, Page 395.

2. I am presently the existing trustee under the Trust and am authorized to convey the below property to Thomas A. Herold, (bona fide purchaser), without any limitation or qualification whatsoever, with reference to the real property legally described as:

See Exhibit "A" attached

3. The Trust is in existence and I as trustee am authorized to transfer the interest in the real estate as described in Paragraph 2, free and clear of any adverse claims.

Signed this 6 day of July, 2001.

Ralinda Tonasket (Printed)  
By: Ralinda Tonasket

By: \_\_\_\_\_

Subscribed and sworn to before me this 6 day of July, 2001.

Mary Flora 7-31-2004  
Notary Public in and for Said State

Shambaugh/Herold

EXHIBIT "A"

The East One-half (1/2) of the Southeast Quarter (1/4) and the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, Excepting therefrom the following parcels of land: Part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 17, Township 77 North, Range 27, Madison County, Iowa, described as follows: Beginning at a point 218 feet West and 195 feet South of the Northeast corner of said Northeast Quarter (1/4) Southeast Quarter (1/4); thence South 186 feet; thence East 218 feet; more or less to the East line of said Northeast Quarter (1/4) Southeast Quarter (1/4); thence North 381 feet to the Northeast Corner of said Northeast Quarter (1/4) Southeast Quarter (1/4); thence West along the North line of said Northeast Quarter (1/4) Southeast Quarter (1/4) 368 feet; thence South 174 feet; thence Southeasterly 150 feet more or less to the point of beginning; and the South 487.9 feet of the East 267.84 feet of the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., in Madison County, Iowa, containing 3.0 acres but subject to local Right of Way;