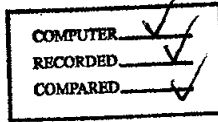


REC \$ 5.00  
AUD \$  
R.M.F. \$ 1.00



FILED NO. 000993  
BOOK 2003 PAGE 993

2003 FEB 24 PM 12:48

NICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

Prepared by: Wayne S. Rasmussen, Attorney at Law  
11605 Miracle Hills Dr., Ste. 205, Omaha, NE 68154/402-493-3300

**AFFIDAVIT**

STATE OF Ohio )  
COUNTY OF Greene ) ss.

KRISTINE L. LOCHER, of lawful age and being first duly sworn, deposes and says:

1. That I am owner of record of the following described real estate in Madison County, Iowa:

The Northwest Quarter (NW¼) and the Southwest Quarter of the Northeast Quarter (SW¼NE¼) of Section Four (4), Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, EXCEPT the real estate conveyed to the State of Iowa pursuant to a warranty deed filed of record September 26, 1959 in the Office of the Madison County Recorder in Book 89, Page 497, and subject to easements and restrictions of record.

2. That Lucille J. Loop was my mother and she passed away in February, 1997.

3. That Lucille Kristine Loop, Lucille J. Loop and Lucille Loop are one in the same person.

4. That during her lifetime Lucille J. Loop established the Lucille J. Loop Trust a/k/a the Lucille Loop Trust, a revocable trust in which Lucille J. Loop was the sole trustee.

5. That on November 4, 1991 Lucille J. Loop Trust, by Lucille J. Loop, Trustee entered into a fence agreement with Harrison Vowell. The agreement was recorded December 12, 1991 in the Office of the Madison County Recorder in Book 2, Page 118.

6. That on June 17, 1997, the Lucille Loop Trust executed a Maintenance Agreement which was recorded on August 20, 1997 at Book 44, Page 278 of the Madison County Recorder.

7. Further, that the undersigned, the owner of the remainder interest in said real property consented to the filing of said fence agreement and Maintenance Agreement and knows of her own personal knowledge that Lucille Loop intended said agreements to be binding upon her even though the real property had not been conveyed to her revocable trust.

FURTHER AFFIANT SAITH NOT

Kristine L. Locher  
Kristine L. Locher

SUBSCRIBED and sworn to before me on this 19 day of February, 2003

Ryan G. Pennell  
RYAN G. PENNELL, Notary Public  
In and for the State of Ohio  
My Commission Expires May 31 2007

✓ F&M