

✓ Return to:

Loren Van Essen  
4590 Deerwood Circle  
Johnston Iowa 50131

REC \$ 15<sup>00</sup>  
AUD \$  
R.M.F. \$ 4<sup>00</sup>

002072  
FILED NO. \_\_\_\_\_  
BOOK 2003 PAGE 2072  
2003 APR 11 PM 12: 51

MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

COMPUTER   
RECORDED   
COMPARED

Preparer Information: Kathryn A. Green, 5850 Oakwood Drive N.W., P. O. Box 3521, Des Moines, Iowa 50322 515/276-4936

## AFFIDAVIT

State of Iowa )  
                  )ss:  
County of Polk )

I, Wilbur Bingaman, being first duly sworn on oath, depose and state:

The address and headquarters of the Grand Lodge of Iowa of the Independent Order of Odd Fellows is 5850 Oakwood Drive N. W., Des Moines, Iowa 50322.

That this affidavit is for the purpose of clarifying the chain of title to the following described real estate situated in Madison County, Iowa, to wit:

The East Half (1/2) of Lot Four (4) of Helen McCall Huntoon Addition,  
Plat No. 1, to the City of Winterset, Madison County, Iowa.

That I am the Grand Secretary of the Grand Lodge of Iowa of the Independent Order of Odd Fellows a nonprofit corporation organized and existing under to and pursuant to the provisions of Chapter 504A, Code of Iowa, and that as such, I have custody of all books, papers, and documents related to the business of said Grand Lodge. Michael Palmer is the Grand Master of the Grand Lodge of Iowa of the Independent Order of Odd Fellows.

I further depose and state and hereby certify that the following is a portion of the Constitution of the Grand Lodge of Iowa of the Independent Order of Odd Fellows and is so recorded in the Recorder's Office of Polk County, State of Iowa:

Section 35, XII. Whenever a Lodge shall have been tried, convicted and expelled, or shall have become extinct, the Charter, books, funds, property and effects of whatsoever kind of such Lodge shall become and be and remain the absolute property of this Grand Lodge, and ever member of the Order holding or possessing

such property must at once surrender the same to the Grand Lodge if not already in custody of the Grand Master, under proceedings of suspension.

I further depose and state that Madison Lodge No. 136, I.O.O.F. of the State of Iowa, Winterset, Iowa became defunct and extinct as of November 25, 2002 and the charter of said extinct and defunct lodge surrenderable to the Grand Lodge of Iowa of the Independent Order of Odd Fellows as of November 25, 2002.

Madison Lodge No. 136, IOOF was in fact governed by the Constitution of the Grand Lodge of Iowa of the Independent Order of Odd Fellows.

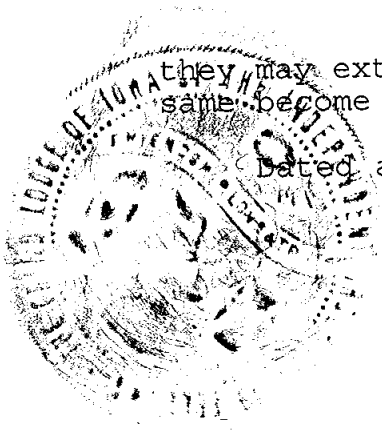
I further depose and state that Resolution Number 22 of the Independent Order of Odd Fellows was adopted at its annual session at Waterloo, Iowa on the 19th day of October, 1939 and is now a part of the Constitution, which is as follows:

Whereas, the Grand Lodge of Iowa of the Independent Order of Odd Fellows now own considerable real estate and that it is frequently for the best interest of this Grand Lodge that the said real estate be rented, leased or sold:

Now, therefore, be it resolved, that the Grand Master and Grand Secretary be and they are hereby empowered, authorized and directed to negotiate the lease or sale of and lease or sell any or all of the said real estate now owned by this Grand Lodge or that may be hereafter acquired by it; to make, execute and deliver deeds transferring the title thereto, to accept mortgages securing the purchase price or a portion thereof, which said mortgages shall be taken in the name of the Grand Lodge of Iowa of the Independent Order of Odd Fellows, to make, execute and deliver releases of all mortgages owned by the said Grand Lodge upon payment of the obligation secured by the said mortgages; and at the direction of the Grand Master and Grand Secretary,

they may extend the time of payment thereto or after the same become due.

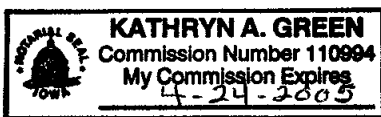
Dated at Des Moines, Iowa this 5<sup>th</sup> day of March, 2003.



*Wilbur Bingaman*  
Wilbur Bingaman, Grand Secretary  
Grand Lodge of Iowa, IOOF

State of Iowa )  
                  ) ss:  
County of Polk)

On this 5<sup>th</sup> day of March, A. D., 2003 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Wilbur Bingaman, to me personally known, who being by me duly sworn, did say that he is the Grand Secretary of said Corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Wilbur Bingaman as such office acknowledges the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.



*Kathryn A. Green*  
Kathryn A. Green, Notary Public  
in and for Polk County, Iowa