

LISA SMITH, COUNTY RECORDER
MADISON IOWA

LMCA

Prepared by and return to: James S. Niblock, 666 Grand Avenue, Ste 2000, Des Moines, Iowa 50309

AFFIDAVIT

James S. Niblock

To

Whom it May Concern

I, James S. Niblock, being first duly sworn and under oath, state that:

1. I am an attorney at law licensed to practice in the state of Iowa.
2. Sandra M. Wagner is the daughter of Thelma M. Coffman who was the prior title holder to the following described property:

Parcel "A", located in the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-two (22), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 454 on June 2, 1999, in the Office of the Recorder of Madison County, Iowa.

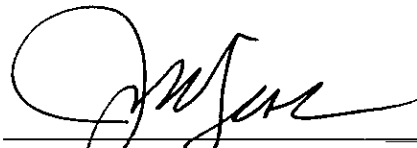


Locally known as: 2526 Carriage Trail, Winterset, Iowa (the "Real Estate").

3. On February 25, 1999, Thelma M. Coffman issued a Durable General Power of Attorney, which was filed of record with the Madison County Recorder on July 13, 1999, in Book 45 at Page 777. Said Power of Attorney granted her Attorneys-in-Fact, T. Edgar Coffman, Sandra M. Wagner and Don E. Coffman, full power and authority to ". . . buy, sell, rent, lease, mortgage or dispose of real estate and/or personal property . . ." on her behalf.

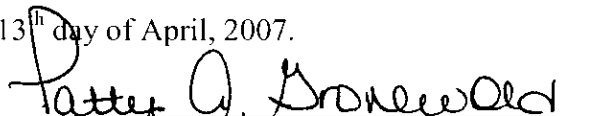
4. On June 10, 1999, T. Edgar Coffman, acting under authority of a Power of Attorney granted by Thelma M. Coffman, conveyed all of Thelma M. Coffman's right, title and interest in and to the Real Estate to Kimbra D. Ballard (n/k/a Kimbra D. Ross) by Warranty Deed filed of record with the Madison County Recorder on June 14, 1999, in Book 141 at Page 578.
5. Contrary to Iowa Code Section 561.13, said Power of Attorney did not contain a legal description of Thelma Coffman's property, specifically the above-described Real Estate and, therefore, it cannot be determined from the record if the Real Estate described above, when transferred to the current titleholders, was the homestead of Thelma Coffman.
6. Pursuant to my telephone conversation with Sandra Wagner on February 21, 2007, I confirmed that the Real Estate was not the homestead of Thelma Coffman at the time it was conveyed to Kimbra D. Ballard, n/k/a Kimbra D. Ross and , therefore, the legal description of the Real Estate was not required to be shown in the Power of Attorney .
7. Thelma M. Coffman died on June 26, 1999.
8. This Affidavit is provided in order to clear a cloud on title with respect to the Real Estate in which Kimbra D. Ross and John Ross are the current titleholders and which is described above.

Dated this 13th day of April, 2007.



James S. Niblock

Subscribed and sworn to before me this 13th day of April, 2007.



Notary Public in and for the State of Iowa