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MICHELLE UTSELL
RECORDER
MADISON COUNTY, IOWA

Prepared by: Van Werden & Hefner, 1009 Main Street, P.O. Box 197, Adel, IA 50003; (515)993-4545

CORPORATE TRUSTEES AFFIDAVIT IN RE:

All of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78) North, Range Twenty-eight (28), West of the 5th P.M., in Dallas County, Iowa, lying South of the right-of-way of the Chicago, Rock Island and Pacific Railroad Company, also all of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), and, commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), thence North 1.29 $\frac{1}{2}$ chains to the right-of-way of said railroad, thence Northeasterly along said right-of-way 9.89 chains, thence South 68 degrees, East 4.95 chains; thence South 4 chains to the South Line of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), thence West 13.25 chains to place of beginning; also commencing at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$), thence North 49.3 rods to the South line of a strip of land owned by the Chicago, Rock Island and Pacific Railroad Company, thence Southwesterly parallel with and 150 feet distant Southerly from the center line of the right-of-way of the Chicago, Rock Island and Pacific Railroad Company 127.26 rods to a point where said line intersects the South line of said Southwest Quarter (SW $\frac{1}{4}$) thence East along said South line of said Southwest Quarter (SW $\frac{1}{4}$) 120.9 rods to the Southeast corner thereof, to the place of beginning; also commencing at a point 120.9 rods West of the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$), running thence West 15.8 rods to the right-of-way of the Chicago, Rock Island and Pacific Railroad Company, thence Northeast along said right-of-way 14.85 rods; thence Southeast 6.06 rods to place of beginning; also commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), running thence North 1.29 $\frac{1}{2}$ chains to the South line of the Chicago, Rock Island and Pacific Railroad Company right-of-way, thence Southwest along the South line of said right-of-way to a point 4.34 chains West of said Southeast corner of said forty acres, thence East 4.34 chains to place of beginning; all contained in Section Thirty-six (36), Township Seventy-eight (78) North, Range Twenty-eight (28), West of the 5th P.M., in Dallas County, Iowa;

AND

South Half of the North Half of the Southwest Quarter of the Southwest Quarter of Section 31, Township 78 North, Range 27, West of the 5th P.M., in Dallas County, Iowa, containing 10 acres, more or less;

AND

The North Half of the South Half of the Southwest Quarter of the Southwest Fractional Quarter of Section 31, in Township 78 North, of Range Twenty-seven (27), West of the 5th P.M., in Dallas County, Iowa;

AND

The East Half of the Northeast Quarter (E1/2 NE1/4) of Section One (1), Township 77, North of Range 28 West of the 5th P.M., Madison County, Iowa.



STATE OF IOWA, COUNTY OF POLK, ss:

I, Thomas C. Nelson, Trust Officer of Brenton Bank, being first duly sworn and under oath, state of my personal knowledge that:

1. Brenton Bank, N.A. n/k/a Brenton Bank and James E. Van Werden are the co-trustees under the Harland A. Emerson Trust Dated July 22, 1994, to which the above-described real estate was conveyed to the co-trustees by warranty deed, pursuant to an instrument recorded the 16th day of August, 1995, in the office of the Dallas County Recorder in Book 792 at page 781, and recorded the 22nd day of August, 1995, in the office of the Madison County Recorder in Book 134 at page 638.
2. Brenton Bank and James E. Van Werden are the presently existing co-trustees under the Trust and are

authorized to transfer a portion of the above-described real estate legally described as:


All of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78) North, Range Twenty-eight (28), West of the 5th P.M., in Dallas County, Iowa, lying South of the right-of-way of the Chicago, Rock Island and Pacific Railroad Company, also all of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), and, commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), thence North 1.29 $\frac{1}{2}$ chains to the right-of-way of said railroad, thence Northeasterly along said right-of-way 9.89 chains, thence South 68 degrees, East 4.95 chains; thence South 4 chains to the South Line of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), thence West 13.25 chains to place of beginning; also commencing at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$), thence North 49.3 rods to the South line of a strip of land owned by the Chicago, Rock Island and Pacific Railroad Company, thence Southwesterly parallel with and 150 feet distant Southerly from the center line of the right-of-way of the Chicago, Rock Island and Pacific Railroad Company 127.26 rods to a point where said line intersects the South line of said Southwest Quarter (SW $\frac{1}{4}$) thence East along said South line of said Southwest Quarter (SW $\frac{1}{4}$) 120.9 rods to the Southeast corner thereof, to the place of beginning; also commencing at a point 120.9 rods West of the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$), running thence West 15.8 rods to the right-of-way of the Chicago, Rock Island and Pacific Railroad Company, thence Northeast along said right-of-way 14.85 rods; thence Southeast 6.06 rods to place of beginning; also commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), running thence North 1.29 $\frac{1}{2}$ chains to the South line of the Chicago, Rock Island and Pacific Railroad Company right-of-way, thence Southwest along the South line of said right-of-way to a point 4.34 chains West of said Southeast corner of said forty acres, thence East 4.34 chains to place of beginning; all contained in Section Thirty-six (36), Township Seventy-eight (78) North, Range Twenty-eight (28), West of the 5th P.M., in Dallas County, Iowa; EXCEPT Parcel "A" in the Southeast Quarter of the Southeast Quarter of Section 36, Township 78 North, Range 28 West of the 5th P.M., Dallas County, Iowa, more precisely described as follows: Commencing at the Southeast Corner of Section 36, Township 78 North, Range 28 West of the 5th P.M., Dallas County, Iowa; thence North 00°00'00" East 428.79 feet along the East line of the Southeast Quarter of the Southeast Quarter of said Section 36 to the Point of Beginning; thence North 86°59'14" West 225.05 feet; thence North 40°24'03" West 411.75 feet; thence North 11°50'03" West 161.49 feet; thence North 26°52'37" East 305.97 feet; thence North 15°38'25" East 136.80 feet to the North line of the Southeast Quarter of the Southeast Quarter of said Section 36; thence South 89°55'14" East 349.52 feet along an existing fence to the Northeast Corner of the Southeast Quarter of the Southeast Quarter of said Section 36; thence South 00°00'00" East 887.61 feet along the East line of the Southeast Quarter of the Southeast Quarter of said Section 36 to the Point of Beginning. Said parcel contains 8.417 acres including 0.685 acres of U.S. Highway No. 169 right-of-way;

AND

The East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section One (1), Township 77, North of Range 28 West of the 5th P.M., Madison County, Iowa.


to JSC Properties, Inc., without any limitation or qualification whatsoever.

3. The Trust is in existence and Brenton Bank and James E. Van Werden as co-trustees are authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.


Thomas G. Nelson

Affiant

Sworn to and subscribed before me by Thomas C. Nelson on this 2nd day of April, 1998.


Notary Public in and for the State of Iowa

