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TRUSTEE'S AFFIDAVIT

FILED NO. 1280

BOOK 43 PAGE 241

STATE OF ARIZONA)
)SS:
COUNTY OF MARICOPA)

95 NOV -3 PH 3: 52

MICHELLE UTSLEE

I, David Charles Rabinowitz, being first duly sworn and white the of my personal knowledge that:

1. I am the trustee under the trust dated December 23, 1993, to which the following described real estate has been conveyed to the trustee by Sam D Smart and Lorie Smart, husband and wife, pursuant to an instrument recorded the 3 day of November , 1995, recorded in the office of the Madison County Recorder in Book 135 at Page 142.

The Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Ten (10) and the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Ten (10) except Parcel "A", located in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Ten (10), more particularly described as: Commencing at the West Quarter Corner of Section 10, T75N, R26W of the 5th P.M., Madison County, Iowa; thence proceeding Southerly along the West line of the SW1/4 of said Section 10 at an assumed bearing of South 0°00'00" West, 863.77 feet to the Point of Beginning; thence South 0°00'00" West, 447.06 feet to a point on the West line of the SW% of said Section 10; thence North 86°08'27" East along the South line of the NW14 of the SW14 of said Section 10, 1295.59 feet to the SE corner of the NW14 of the SW14 of said Section 10; thence North 0°08'49" East along the East line of the NW1/4 of the SW1/4 of said Section 10, 210.40 feet; thence North 84°27'19" West, 139.54 feet; thence South 68°16'53" West, 140.58 feet; thence North 61°26'53" West, 175.32 feet; thence North 50°49'26" West, 305.19 feet; thence South 81°33'50" West, 603.50 feet to a point on the East right-of-way fence of the County Road; thence South 90°00'00" West, 36.15. feet to the Point of Beginning, said excepted parcel containing 11.084 acres, including 0.419 acres of County Road right-of-way, all in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

- 2. I am the presently existing trustee under the trust and am authorized to mortgage the above described real estate, without any limitation or qualification whatsoever.
- 3. The trust is in existence and I as trustee am authorized to transfer or encumber the interests in the real estate described above , free and clear of any adverse claims.

David Charles Rabinowit

Subscribed and sworn to before me a Notary Public this _____, 1995.

_day_of

ry Public - State of Ariza

My Commission Expires Uci 15, 75