



Document 2010 796

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Date 4/09/2010 Time 2:15 PM

Rec Amt \$14.00

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA



Individual Trustee's Affidavit

THE IOWA STATE BAR ASSOCIATION
Official Form No. 113

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Jerrold B. Oliver, P.O. Box 230, Winterset, IA 50273, Phone: (515) 462-3731

Taxpayer Information: (Name and complete address)

Michael H. Frey and Penni L. Frey, 1365 Earlham Rd., Earlham, IA 50072

✓ **Return Document To:** (Name and complete address)

Jerrold B. Oliver, P.O. Box 230, Winterset, IA 50273, Phone: (515) 462-3731

Grantors:

See Page 2

Grantees:

See Page 2

Legal description: See Page 2

Document or instrument number of previously recorded documents:



INDIVIDUAL TRUSTEE'S AFFIDAVIT



RE:

The West Half (1/2) of the Southwest Quarter (1/4) of Section Twenty-seven (27), excepting therefrom a parcel described as beginning at the Southwest corner of the Southwest Quarter (1/4) and running thence East 568 feet, thence North 287 feet, thence West 568 feet, thence South 287 feet to the point of beginning AND the West Half (1/2) of the East Half (1/2) of the Southwest Quarter (1/4) of Section Twenty-seven (27), all in Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, EXCEPT Parcel "A" of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-seven (27), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, as shown in the Plat of Survey recorded in Book 2007, Page 4226 of the Recorder's Office of Madison County, Iowa

Subject to an Easement to Ryan Burger recorded in Book 2009, Page 756 of the Recorder's Office of Madison County, Iowa.

State of Iowa County of MADISON ss:

I, Kathleen Mitchell, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the trustee under the Trust dated January 2, 2004, to which the above-described real estate was conveyed to the trustee by Warranty Deed, pursuant to an instrument recorded the 14th day of March, 2007, in the office of the Madison County Recorder in Book 2007, Page 1022 (insert recording data).

2. I am the presently existing trustee under the Trust and I am authorized to convey said real estate

(describe the transfer to be made by the trustee to the bona fide purchaser), without any limitation or qualification whatsoever.

3. The Trust is in existence and I, as trustee, am authorized to transfer the interest in the real estate as described in paragraph 2, free and clear of any adverse claims.

4. The grantor of the trust is alive.

5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.

Kathleen Mitchell
Kathleen Mitchell Affiant

Signed and sworn to (or affirmed) before me on April 8th, 2010 by Kathleen Mitchell

 **ANGIE M. ANDREW**
Commission Number 225895
My Commission Expires
December 9, 2011

[Signature]
Notary Public