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ANNO

SCAN

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

AFFIDAVIT
Recorder's Cover Sheet

Preparer Information:

James E. Van Werden, 1009 Main Street, Adel, IA 50003

Taxpayer Information:

Richard T. Mills
1867 Hogback Bridge Road
Winterset, IA 50273

✓ **Return Address**

Mark L. Smith
P.O. Box 230
Winterset, IA j 50273

Grantors:

N/A

Grantees:

N/A

Legal Description: See Exhibit "A"

Document or instrument number if applicable: ***Document Number TE***

AFFIDAVIT

RE: See Exhibit "A"

STATE OF IOWA, DALLAS COUNTY, ss:

I, James E. Van Werden, being first duly sworn (or affirmed) under oath depose and state that I am a co-trustee with John H. Hines of the GAYLA L. MILLS TRUST AGREEMENT DATED AUGUST 31, 1999. That said trust is still in existence.

1. We as co-trustees filed the Last Will and Testament of Gayla L. Mills on the 6th day of February, 2008, with the Madison County Clerk of Court, Madison County, Iowa and had said Will admitted to probate without present administration. All property that the co-trustees know of was included in the Gayla L. Mills Trust and resided in the trust at the time of her death.

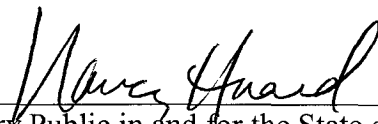
2. That at the time of Gayla L. Mills' death, the value of her assets did not exceed \$1,380,000.00. The federal estate tax exemption in the year 2008 was \$2,000,000.00; hence no federal estate tax was due.

3. That all of the Gayla L. Mills' property was distributed to her children and under the laws of the State of Iowa as they existed in the calendar year 2008, there was no inheritance tax on bequest and devises to lineal descendents. Hence there was no Iowa inheritance tax due.

Further affiant sayeth not.


James E. Van Werden

Subscribed and sworn to before me by the said James E. Van Werden, this 23 day of April, 2010.


Notary Public in and for the State of Iowa

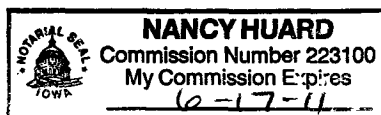


Exhibit "A"

All that part of the Southwest Quarter of the Southwest Quarter lying and being South of the North River in Section 11,

and

All that part of the West Half of the Southeast Quarter of the Southwest Quarter of Section 11 lying west of the main channel of North River, containing 3 acres, more or less,

and

East Half of the Northwest Quarter, North $\frac{3}{4}$ of the West Half of the Northwest Quarter; North Quarter of the Southwest Quarter; East 18 acres of the West 30 acres of the South Half of the North Half of the Southwest Quarter; and the West half of the Southeast Quarter of the Southwest Quarter of Section 14, subject to existing highways,

and

North Half of the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northwest Quarter of the Northeast Quarter, and the West Half of the Southwest Quarter of the Northeast Quarter, all in Section 14,

and

One (1) acre, the North part of the South Half of the Southwest Quarter of the Northwest Quarter, being a strip two (2) rods wide commencing at the Northwest corner of the South Half of the Southwest Quarter of the Northwest Quarter and extending East to road in Section 14,

all in Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa;

AND

The North twelve (12) acres of the West Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa;

AND

All that part of the Southwest Quarter (SW $\frac{1}{4}$) Southwest Quarter (SW $\frac{1}{4}$) of Section Eleven (11) lying south of the centerline of the North River, and the Northwest Quarter (NW $\frac{1}{4}$) Northwest Quarter (NW $\frac{1}{4}$) of Section Fourteen (14), Township Seventy-six (76) North, Range Twenty-eight (28) West, County and State aforesaid, lying westerly of a line drawn seventy-five (75) feet easterly from and parallel with the located main track centerline of the Chicago, Rock Island and Pacific Railroad Company's Earlham to Winterset line as now staked and located on, over and across said above land, said main track centerline being more particularly described as beginning at a point in the West line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Eleven (11), one thousand six hundred forty and four-tenths (1,640.4) feet south of the northwest corner thereof; thence southerly on a straight line eighty-one and ninety-five hundredths (81.95) feet to point of two degree naught minute (2°0') curve to the right; thence continuing along said two degree naught minute (2°0') curve to the right nine hundred eighteen and twenty-five hundredths (918.25) feet to a point in the north line of the Northwest Quarter (NW $\frac{1}{4}$) Northwest Quarter (NW $\frac{1}{4}$) said Section Fourteen (14); thence continuing southwesterly along said two degree naught minute (2°0') curve to the right four hundred twenty-four and twenty-five hundredths (424.25) feet to point of tangent; thence southwesterly on a straight line one hundred two and ninety-five hundredths (102.95) feet to a point in the West line of said quarter quarter five hundred forty-four and seven-tenths (544.7) feet south of the northwest corner thereof; thence southwesterly on a straight line one thousand six hundred sixty-five and nine-tenths (1,665.9) feet to a point in the Northeast Quarter (NE $\frac{1}{4}$) of Section Fifteen (15), Township Seventy-six (76) North, Range Twenty-eight (28) West, four hundred sixty-one and one-tenth (461.1) feet north and three hundred eighty-seven and eight-tenths (387.8) feet west of the southeast corner thereof and containing in all 3.73 acres, more or less;

AND

The railroad right of way across the West Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$), except that part lying South of North River, all in Section Eleven (11) in Township Seventy-six (76) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, 1.89 acres more or less.

AND

All that part of the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Fourteen (14), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., which lies East of the public highway as the same now extends through said 20-acre tract.