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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

**AFFIDAVIT OF JOHN H. HINES AND JAMES E. VAN WERDEN  
CO-TRUSTEES  
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  
OF  
JOHN H. HINES AND JAMES E. VANWERDEN CO-TRUSTEES**

**RE:** See Exhibit "A"

We, John H. Hines and James E. Van Werden, being first to duly sworn and under oath state of our personal knowledge that:

1. We are the co-trustees under the trust dated August 31, 1999, to which the above-described real estate was conveyed to the trustees by Gayla L. Mills, single, pursuant to an instrument recorded the 13<sup>th</sup> day of September, 1999, recorded in the office of the Madison County Recorder, in Book 141, Page 830 of the records of Madison County Recorder of Madison County, Iowa and the 15<sup>th</sup> day of December, 1999, recorded in the office of the Madison Recorder, in Book 142, Page 139 of the records of Madison County Recorder of Madison County, Iowa.

2. We are the presently existing trustees under the trust and we were authorized to transfer said real estate to a bona fide purchaser or to the distributees under the trust, without any limitation or qualification whatsoever.

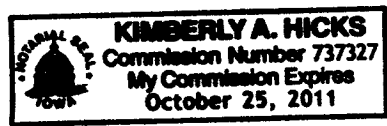
3. The trust was in existence at the time of the transfer to the distributees and continues in existence at this. We trustees were authorized to transfer the interested in the real estate described in paragraph 1 and to our knowledge said transfer was free and clear of any adverse claim.

John H. Hines  
John H. Hines

James E. Van Werden  
James E. Van Werden  
As Co-Trustees of the above-entitled trust

STATE OF IOWA, COUNTY OF Polk

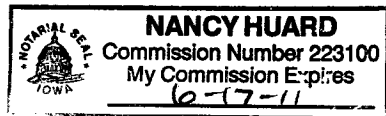
Sworn and subscribed before me by John H. Hines, as co-trustee of the above-entitled trust on this 23<sup>rd</sup> day of April, 2010.



Kimberly A. Hicks  
Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF Dallas

Sworn and subscribed before me by James E. Van Werden, as co-trustee of the above-entitled trust on this 23<sup>rd</sup> day of April, 2010.



Nancy Huard  
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 5<sup>th</sup> 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 5<sup>th</sup> 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 ( $2^{\circ}0'$ ) curve to the right; thence continuing along said two degree naught minute ( $2^{\circ}0'$ ) 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 ( $2^{\circ}0'$ ) 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 5<sup>th</sup> 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 5<sup>th</sup> P.M., which lies East of the public highway as the same now extends through said 20-acre tract.