

STATE OF IOWA, ss.
MADISON COUNTY,Inst. No. 17 Filed for Record this 2 day of July 19 91 at 11:38 AM
Book 40 Page 352 Recording Fee \$10.00 Michelle Utzler, Recorder, By Shirley E. Henry DeputyCOMPAREDAFFIDAVIT

I, Leonard M. Flander, being first duly sworn on oath do hereby depose and state:

I am an attorney at law and have practiced my profession in Winterset, Madison County, Iowa, for more than twenty-five (25) years last past. As an attorney, I have represented Constance Joanne Ringgenberg as Trustee for more than ten (10) years.

As Trustee, Constance Joanne Ringgenberg is the owner of the real estate legally described as:

Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Five (5) and a tract beginning at the Northeast Corner of the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Five (5), thence West Twenty-six (26) feet, thence Southwesterly to a point Ninety-two (92) feet West of the Southeast Corner of the said Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), thence East Ninety-two (92) feet, thence North to the Point of Beginning, and, the Northeast Quarter ($\frac{1}{4}$) of Section Eight (8) and the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Eight (8), except a tract beginning at the Northwest corner of the said Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$), thence East Two Hundred Five (205) feet, thence Southwesterly to the Southwest Corner of the said Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$), thence North to the point of beginning, and, the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Eight (8), all in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa

subject to the contract to purchase rights of Harrison Vowell.

The Trust Instrument dated December 16, 1974 under which Constance J. Ringgenberg is acting as Trustee and under which she holds title to the above described real estate contains the following provisions:

ARTICLE VI

"The Trustee shall have all powers necessary for the proper administration of this trust, which shall be in addition to those powers provided by the Iowa Probate Code. In extension, but not in limitation of any power otherwise possessed by the Trustee, she shall have, without the necessity of notice to or approval of any court or person, the following powers:

1. To sell, exchange, borrow, mortgage, lease or otherwise dispose of any assets for terms within or extending beyond the term of the trust. . . . "

Affidavit
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This Affidavit is filed for the purpose of showing the Trustee has the power to convey such real estate.


I further depose and state, I represented John L. Ringgenberg in the cause entitled "Noelle Lenninger v. John L. Ringgenberg", Appearance Docket 50 at page 60. The Court costs in that cause were taxed to the Plaintiff.

That I represented John L. Ringgenberg in the cause entitled "John L. Ringgenberg v. Robert Ball"; that the Court costs in the cause entitled John L. Ringgenberg v. Robert Ball, Appearance Docket 50 at page 131 were taxed to the Defendant, Ball. Neither Court cost constitute a lien on the above described real estate.


Leonard M. Flander



Subscribed and sworn to before me this 2nd day of July, 1991.


Beth Flander Notary Public