

COMPARED

FILED NO. 2210

BOOK 40 PAGE 687

AFFIDAVIT

92 MAR 19 PM 2:39

STATE OF IOWA :  
                  : SS  
MADISON COUNTY :

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

Fee \$5.00

Comes now Samuel H. Braland, who on oath deposes and states: That I am a practicing attorney, and that my principal place of business is in the City of Earlham, Madison County, Iowa. I make this Affidavit in connection with the chain of title to the following described real estate, to-wit:

The North half (1/2) of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-eight (28), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

1.- I know of my own personal knowledge that from approximately March, 1971, until approximately August 11, 1991, Glen Stanley, also known as Glenn Stanley, owned an undivided one-third interest in and to said real estate.

2.- I further state that on or about August 11, 1991, Glen Stanley, together with Marie Stanley, his spouse, conveyed said undivided one-third interest owned by Glen Stanley to Glen Stanley and Marie Stanley as Trustees of the Glen Stanley Trust. I further state that the Glen Stanley Trust was created by a Trust Agreement executed on August 11, 1991, between Glen Stanley as Trustor, and Glen Stanley and Marie Stanley, as Trustees. I further state that a valid trust was created under said Trust Agreement, and that the conveyance by Glen Stanley and Marie Stanley of said undivided one-third interest was, in fact, a conveyance to a valid trust.

3.- I further state that I was the draftsman of the Trust Agreement creating the Glen Stanley Trust, and that Article IV of said Trust Agreement provides that the trustees shall have, without the necessity of notice to or approval of any Court or person, the following powers:

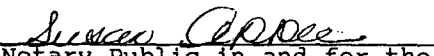
To sell, exchange, borrow, mortgage, lease, or otherwise dispose of any asset for terms within or extending beyond the term of any trust.

In accordance with said provision, the trustees of the Glen Stanley Trust have the power and authority to sell and convey the trust's undivided one-third interest in and to the above described real estate.

Further this affiant sayeth not.

  
(Samuel H. Braland)

Subscribed and sworn to before me and in my presence by the said Samuel H. Braland this 4th day of February, 1992.

  
Notary Public in and for the State of Iowa.

