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Book 2012 Page 1193 Type 06 033 Pages 3

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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)

James E. Van Werden, 1009 Main St., Adel, IA 50003, Phone: (515) 993-4545

**Taxpayer Information:** (name and complete address)

*IR* ✓ **Return Document To:** (name and complete address)

James E. Van Werden, 1009 Main St., Adel, IA 50003, Phone: (515) 993-4545

**Grantors:**

Sylvia L. Van Werden, Trustee

**Grantees:**

Kindra Zaun

**Legal Description:** See Page 2

**Document or instrument number of previously recorded documents:**

**INDIVIDUAL TRUSTEE'S AFFIDAVIT**

RE: William L. Van Werden and Sylvia L. Van Werden Trust

See Attached Exhibit "A"

STATE OF NEBRASKA, COUNTY OF LANCASTER, ss:

I, Sylvia Van Werden, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the trustee under the Trust dated January 30, 2006, to which the above-described real estate was conveyed to the trustee by Willilam L. Van Werden and Sylvia L. Van Werden, husband and wife, pursuant to an instrument recorded the 6th day of February, 2006, in the office of the Madison County Recorder in Winterset, Madison County, Iowa.

2. I am the presently existing trustee under the Trust and I am authorized to convey real estate 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, Sylvia L. Van Werden, is alive.

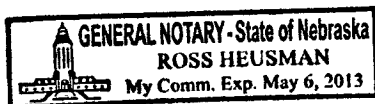
5. The grantor of the trust, William L. Van Werden is deceased, his estate was not large enough to generate a federal estate tax, nor any other taxes.

6. The trust is revocable.

Sylvia L. Van Werden  
Sylvia L. Van Werden, Affiant

Signed and sworn to (or affirmed) before me on December 14<sup>th</sup> 2011, by Sylvia Van Werden, single and Trustee.

Ross Heusman  
\_\_\_\_\_, Notary Public



## EXHIBIT "A"

Parcel "D" in the Northeast Quarter of the Northeast Quarter of Section 17, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Northeast Corner of Section 17, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa thence South 01°01'41" West 516.61 feet along the East line of the Northeast Quarter of said Section 17 to the Point of Beginning; thence continuing South 01°01'41" West 363.42 feet along said East line; thence North 89°27'38" West 356.48 feet; thence North 00°05'06" East 376.48 feet to a point on the South line of existing Parcel "C"; thence North 87°30'18" West 31.92 feet along a line of existing Parcel "C"; thence South 01°32'02" East 16.55 feet along a line of existing Parcel "C"; thence North 89°46'19" West 330.09 feet along a line of existing Parcel "C" to the Point of Beginning containing 3.00 acres including 0.27 acres of County Road right-of-way.

### Easement Legal Description:

Sellers, their heirs and assigns, reserve a 12.50 foot wide ingress/egress easement which is on Parcel "D" the North line of the retained easement is described hereinafter. Sellers grant to Buyers a 12.50 foot wide ingress/egress easement of which 12.50 feet is on the adjacent property described as Parcel "C". The granting of said easement and retention of said easement covers land that is contiguous and rectangular in shape.

A 25.00 foot wide ingress/egress easement of which 12.50 feet is on Parcel "C" and 12.50 feet is on Parcel "D". The centerline of the easement is described as follows:

Commencing at the Northeast Corner of Section 17, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M.; thence South 01°01'41" West 516.61 feet along the East line of the Northeast Quarter of said Section 17 to the Southeast Corner of Parcel "C" which is the Northeast Corner of Parcel "D" which is the Easement Point of Beginning; thence North 89°46'19" West 250.09 feet along the South line of Parcel "C" which is the North line of Parcel "D" to the end of the easement.

There shall be no buildings, plants, structures or obstruction placed on said easement which would impede travel over said easement. Granting that easement to Buyers shall run with Buyer's land, reservations by Sellers of the easement shall run with the owner of Parcel "C".