



Document 2014 3258

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared by Don Eichner - WE 515-708-2942

✓ Return to: Don Eichner, 4538 Westbend Dr., Ames, Iowa 50014

AFFIDAVIT OF TRUSTEE

COMES NOW Don Eichner, Trustee of the Walter and Florence Eichner Revocable Trust dated July 25, 2001, and for his Affidavit states as follows:

1. My name is Don Eichner. I am the Trustee of the Walter and Florence Eichner Revocable Trust dated July 25, 2001.
2. On or about August 23, 2001, a Warranty Deed was filed with the Madison County Recorder of Deeds purporting to transfer certain real estate in Madison County, Iowa from Walter and Florence Eichner, as husband and wife, to the Walter and Florence Eichner Revocable Trust dated July 25, 2001. The description of the real estate in this Warranty Deed, which is found in book 2001, page 3756, reads as follows: "Lot 5 and 37/100 acres in the Southeast corner of Lot 4 in Section 7, Lot 1, except the West 1566 feet thereof and the North one-half of Lot 6 in Section 18, all in Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa."
3. In the course of performing my duties as Trustee of the Walter and Florence Eichner Revocable Trust dated July 25, 2001, I discovered that the legal description contained in the aforesaid Warranty Deed erroneously described the actual real estate owned by Walter and Florence Eichner as of July 25, 2001.
4. On or about July 3, 2000, a Warranty Deed - Joint Tenancy was filed with the Madison County Recorder of Deeds whereby Walter and Florence Eichner, as husband and wife, transferred "Government Lot One (1) except the West 1566 feet thereof and North Half (N ½) of Government Lot Six (6) of Section Eighteen (18) and the East 12 rods of the South rods of Government Lot Four (4) of Section Seven (7), all in Township Seventy-Seven (77) North, Range Twenty-Six (26) West of the 5th P.M., Madison County, Iowa" to Jack A. Davis and Donna Davis. This Warranty Deed is found in book 142, page 709 of the Madison County Recorder's Office.
5. As such, the proper legal description of the real estate transferred by the Warranty Deed filed August 23, 2001 between Walter and Florence Eichner, as husband and wife, and the Walter and Florence Eichner Revocable Trust dated July 25, 2001 (found in book

2001, page 3756) should have been "Lot 5 in Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa."

6. By this Affidavit, Don Eichner, as Trustee of the Walter and Florence Eichner Revocable Trust dated July 25, 2001, hereby affirmatively states that the Walter and Florence Eichner Revocable Trust dated July 25, 2001 does not now and has never had any ownership interest in the real estate described as "Government Lot One (1) except the West 1566 feet thereof and North Half (N ½) of Government Lot Six (6) of Section Eighteen (18) and the East 12 rods of the South rods of Government Lot Four (4) of Section Seven (7), all in Township Seventy-Seven (77) North, Range Twenty-Six (26) West of the 5th P.M., Madison County, Iowa"

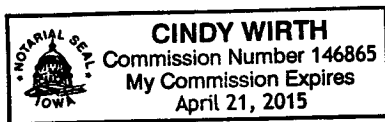
Dated: December 29, 2014.

Don W. Eichner, Trustee

Don W. Eichner, Trustee of the Walter and Florence Eichner Revocable Trust Dated July 25, 2001.

State of Iowa, County of Story, ss.

On December 29th, 2014, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Don W. Eichner, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that said person, as the Trustee, executed the instrument as the voluntary act and deed of said person and of the Trustee.



Cindy Wirth

Notary Public in and for Iowa