INDEX ✓
REC. ✓
PAGE ✓

Compared

FILED NO. 29
BOOK 31 PAGE 503

1977 JUL -6 PM 1:06

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee # 4 50

2pgs.

AFFIDAVIT AFFECTING TITLE TO:

The Southwest Quarter (1/4) of the Northeast Quarter (1/4) of the Southwest Quarter (1/4); the North Half (1/2) of the Southeast Quarter (1/4) of the Southwest Quarter (1/4); and the South Three-fourths (3/4) of the West Half (1/2) of the Southwest Quarter (1/4) except the South 21 1/3 rods of the West 40 rods thereof, and except a tract of land described as follows: -commencing at a point 941.88 feet North of the Southwest Corner of said West Half (1/2) of the Southwest Quarter (1/4), and running thence North 1020.61 feet to the Southwest Corner of the North (1/2) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4), thence East 600.80 feet, thence South 550.4 feet, thence South, 41° West, 532.30 feet, thence South, 56° 22' West, 215.31 feet to the place of beginning; all in Section Fifteen (15), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

STATE OF IOWA )
) ss.
COUNTY OF CERRO GORDO)

I, M. Wayne Oltrogge, being first duly sworn upon oath, depose and state: That I am an attorney and have been engaged in the practice of law in Clear Lake, Cerro Gordo County, Iowa, in excess of twelve years; that I am personally acquainted and am familiar with C. J. Shreck, who is also known as Clark J. Shreck, a resident of Des Moines, Polk County, Iowa; that I am familiar with an instrument which is dated July 28, 1972, entitled "C. J. Shreck Trust" which was executed on said date by Clark J. Shreck, settlor. That Clark J. Shreck is the named Trustee of the C. J. Shreck Trust; that the C. J. Shreck Trust does at this time or has in the past claimed some interest in the above described real estate. That Article X of said Trust Instrument states in part as follows:

> B. The Trustee shall have the right to acquire, invest, reinvest, exchange, retain, sell and manage trust assets, exercising the judgment and care under the circumstances then prevailing which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital. Within the limitations of that standard, the Trustee is authorized to acquire and retain every kind of property, real, personal or mixed and every kind of

investment, specifically including, but not by way of limitation, bonds, debentures and other corporate obligations and stocks, preferred or common, which men of prudence, discretion and intelligence acquire or retain for their own account.

E. The Trustee shall have the power to manage, sell, transfer, mortgage, pledge, exchange or lease for any term of years (even though extending beyond the trust period) any part or the whole of the trust property, real or personal, for such prices or amounts, and for such times and upon such terms as in his absolute discretion the trustee deems best; and the trustee shall have the power to make, execute and deliver any and all bills of sale, deeds, leases, and other instruments necessary or proper for such purposes and to do anything on behalf of the trust which any natural person, being the absolute owner of any such property might do with his own property. No person dealing with any Trustee shall be held responsible for the application of any money loaned, advanced, paid or transferred to the Trustee, and the Trustee may accept and retain as a proper investment hereunder any evidence of indebtedness resulting from any transaction referred to in this subparagraph.

That I know of my own personal knowledge that C. J. Shreck, sometimes known as Clark J. Shreck, is the sole Trustee of the C. J. Shreck Trust, as well as the sole beneficiary thereof during his lifetime.

DATED this 24th day of May, 1977.

M. Wayne Oltrogge

Subscribed and sworn to before me by M. Wayne Oltrogge on this 24th day of May, 1977.

Notary Public in and for the State of Iowa