AFFIDAVIT RE NOTICE

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Richard E. Retz, being first duly sworn, do on oath depose and state that I am a Vice President for The Merchants National Bank of Cedar Rapids, an Iowa banking corporation. That in my capacity as Vice President of said bank, I did cause to be prepared a letter addressed Mr. and Mrs. Philip King, Fawn Creek Trailer Court, Site #F15, Anamosa, Iowa, 52205, said letter bearing the date March 6, 1990. That a true photostatic copy of said letter is attached hereto and by this reference incorporated herein.

The purpose for writing the attached letter to Mr. and Mrs. King was to comply with certain provisions of Chapter 524 of the Iowa Code dealing with the giving of notice to former titleholders of agricultural land, which titleholders have given up ownership to a financial institution in cancellation of certain indebtedness, before such financial institution can proceed to convey the agricultural property to a third party.

The attached letter to Mr. and Mrs. Philip King was mailed to Mr. and Mrs. Philip King, Fawn Creek Trailer Court, Site #F15, Anamosa, Iowa, 52205, on March 6, 1990, and in verification thereof there is further attached to this affidavit a Receipt for Certified Mail form reflecting the mailing of such letter on said date.

That subsequent to the mailing of said letter by certified mail, return receipt requested, to Mr. and Mrs. Philip King, the undersigned affiant did receive back from the U.S. Postal Service the attached green Domestic Return Receipt Card, duly acknowledged by Philip King, having received said envelope containing the letter of March 6, 1990, with said acknowledgement being executed by Philip King and dated by him on March 9, 1990.

Pursuant to the terms of our letter to the Kings of March 6, 1990, we requested that if they were at all interested in matching an offer for the sale of the subject property that they should respond within 10 days. At the time this affidavit is being executed, more than 25 days have elapsed, and no response of any kind whatsoever has been forthcoming from Mr. and Mrs. Philip King.

FILE No. 6-2404
RECORDING FEE $ 25.00
TRANSFER FEE $
FILED FOR RECORD THE 13 DAY OF April 19 90 AT 11:46 O'CLOCK A. M. BOOK 16 PAGE 174
STATE OF IOWA, DELAWARE COUNTY Joan Sheppard, Recorder
Aff.

This affidavit is being given to correct and eliminate any possible title objection which might arise as to the legal title to the following described property:

The South one-half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$), and the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Twenty Four (24), Township Eighty Seven (87) North, Range Five (5), West of the Fifth P.M.

Richard E. Retz, Vice President
The Merchants National Bank
of Cedar Rapids

Acknowledgment — Corporation

STATE OF IOWA, County of Linn, ss.

On this 4th day of April, 1990, before me a Notary Public in and for the County of Linn, State of Iowa, personally appeared Richard E. Retz ~~XXXX~~, to me personally known, who being by me duly sworn, did say that they are respectively the Vice President ~~XXX~~ of Merchants National Bank, that (the seal affixed to said instrument is the seal on behalf of said corporation) — (~~no seal has been procured by the said corporation~~) and that this instrument was by them signed and sealed on behalf of said corporation by authority of its board of directors, and each of them acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and each of them voluntarily executed.

ANDY B. APPLETON
MY COMMISSION EXPIRES
July 16, 1990

Andy B. Appleton
Notary Public in the State of Iowa

MERCHANTS NATIONAL BANK

222 2nd Avenue S.E.
P.O. Box 3013
Cedar Rapids, Iowa 52406
(319) 368-4444

Member FDIC • Affiliate of Banks of Iowa
A Statewide Banking Corporation

March 6, 1990

Mr. & Mrs. Philip King
Fawn Creek Trailer Court
Site #F15
Anamosa, IA 52205

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dear Mr. & Mrs. King:

Enclosed is a copy of a Farm Real Estate Sales Agreement between Merchants National Bank and Louis Greif covering the S½ of the SE and the NW of the SE of Section 24, T 87 N, R 5 W, Delaware County, Iowa.

This is a parcel of the property you deeded to Merchants National Bank in June of 1987 in lieu of payment.

This offer is for $161,500 with $16,000 deposited and the balance due April 15, 1990. Possession is to be immediately.

It is the position of this institution that Merchants National Bank can legally enter into this transaction immediately. However, there may be another interpretation of recent statutes that may give you the right to match this offer within 10 days and would then acquire priority to become the purchaser.

This letter constitutes a notice to you that if you have not matched the offer within 10 days Merchants will consider that you have waived any rights you may have to repurchase the above-described property.

There are two copies of this letter enclosed. Below my signature is a section where you may respond with either your intent to purchase at the price and terms described in the attached sales agreement or with you intent to decline any rights to repurchase that you may have. Please complete the section with

your response on the second copy of this letter and return it to me in the envelope enclosed. Failure to respond within 10 days of receipt will be considered a decline to purchase at the same price and terms described.

Sincerely,

Richard E. Retz
Vice President

rrs

cc: Louis Greif
Paul Glynn

We hereby notify Merchants National Bank of our intent to purchase the described tract for $161,500 and enclose our earnest money payment of $16,000.

Dated this _____ day of _____, 1990

_____ _____
Philip John King Jerilyn K. King

We hereby notify Merchants National Bank that we decline any right we may have to purchase the described tract for $161,500.

Dated this _____ day of _____, 1990

_____ _____
Philip John King Jerilyn K. King

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
1. ☐ Show to whom delivered, date, and addressee's address. *(Extra charge)* 2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to: Phil King	4. Article Number P 046 500 413 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Address X	8. Addressee's Address *(ONLY if requested and fee paid)*
6. Signature — Agent X	
7. Date of Delivery 3-9-90	

AMANA IOWA 52203 MAR 9 1990 USPS

PS Form **3811**, Mar. 1988 ★ U.S.G.P.O. 1988-212-865 **DOMESTIC RETURN RECEIPT**

P 046 500 413

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to Phillip King	
Street and No.	
P.O., State and ZIP Code Amana IA	
Postage	$.25
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.90
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage	$2.00
Postmark or Date	

CEDAR RAPIDS, IA MAR 6 1990 USPO

PS Form 3800, June 1985