**AFFIDAVIT EXPLANATORY OF TITLE**

STATE OF IOWA )
) ss:
COUNTY OF DELAWARE )

We, Marvin L. and Doris J. Helmrichs being first duly sworn to depose and state as follows:

1. We are title holders to property situated in the Southeast Quarter of the Southeast Quarter of Section 6, Township 89 North, Range Four (4) East of the 5th P.M.

2. Our property surrounds the property owned by National Nameplate Company--Donald and Generose Bennett which is described as follows:

> STARTING FROM A POINT WHICH IS 54 RODS NORTH OF THE CENTER OF THE PUBLIC HIGHWAY, AND 20 RODS EAST OF THE EAST LINE OF HOAG AVENUE, IN THE TOWN OF ONEIDA, THENCE SOUTH 230 FEET, THENCE WEST 230 FEET, THENCE NORTH 230 FEET, THENCE EAST 230 FEET TO THE POINT OF BEGINNING.
>
> TOGETHER WITH FULL RIGHT AND LIBERTY FOR GRANTEE, ITS TENANTS, EMPLOYEES, VISITORS, AND LICENSES, AT ALL TIMES HEREAFTER, FOR ALL PURPOSES CONNECTED WITH THE USE AND ENJOYMENT OF SAID PREMISES, TO PASS AND REPASS OVER THE PRIVATE ROAD EXTENDING IN A SOUTHWESTERLY DIRECTION FROM A POINT ABOUT THIRTY FEET NORTH OF THE SOUTHWEST CORNER OF THE HEREINBEFORE DESCRIBED TRACT, TO SAID HOAG AVENUE, TOGETHER WITH THE RIGHT OF ACCESS TO THE SEPTIC TANKS ON THE NORTH OF SAID PRIVATE ROAD WITH THE RIGHT TO REPAIR AND MAINTAIN SAID SEPTIC TANKS.

3. The access easement is not particularly described and therefore there has been some confusion as to the actual width of said easement.

4. It is our position that the access easement is limited to the roadway necessary to provide access to and from the Bennett's property and no wider on the North side or the South side.

FILE No. 19-2915
RECORDING FEE $ 10.00
TRANSFER FEE $

FILED FOR RECORD THE 11 DAY OF June, 1990 AT 9:13 O'CLOCK A. M. BOOK 16 PAGE 200

STATE OF IOWA, DELAWARE COUNTY
Joan Sheppard, Recorder
Aff.

5. We have constructed a fence along the North side of that roadway set back approximately 25 feet. This fence is not intended to indicate the North edge of the roadway access and not placed for that purpose. We believe that the North boundary of the access easement would extend only to the Northern most edge of the actual roadway.

6. The Bennett's constructed a fence on the South side of the roadway, again approximately 25 feet from the actual roadway. While this fence has been constructed on property we own this was done so with our consent. We did not intend this fence to indicate the South boundary of the access easement. We believe that the South boundary of the access easement extends only to the Southerly most edge of the actual roadway.

7. The Bennett's are maintaining the area between the fences by mowing and trimming. We have indicated to them that they could do this so as to improve the looks of the area leading to their property. In no way should this be considered as a grant of any easement rights across such area except the roadway which does constitute the access easement.

8. This Affidavit is given by way of explanation of title to the access easement granted across our property.

Marvin L. Helmrichs

Doris J. Helmrichs

Marvin L. Helmrichs  Doris J. Helmrichs

Subscribed sworn and acknowledged before me by Marvin L. and Doris J. Helmrichs this 6th day of June, 1990.

STEPHANIE L. SWANSON
MY COMMISSION EXPIRES
11-2-92

Stephanie L. Swanson
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA