105 - 238

A F F I D A V I T

RE: The East **sixty seven** (67) acres of the West one-half (W1/2) of the Southeast Quarter (SE1/4) of Section Ten (10), Township Eighty Nine (89) North, Range Six (6), West of the Fifth P.M.

I, Tom Jenk, attorney at law of the lawfirm of JENK & GOEN, 320 First Avenue East, Dyersville, Iowa, state that I have been in the legal practice and have had an office in the City of Dyersville for in excess of 25 years. I, under oath depose and state that I am well acquainted with the Real Estate Contract and Deed regarding the above described property between Lizzie Schaub and Fred A. Schaub, sellers, and Richard L. Wendling and Marlene Y. Wendling. This Contract was executed on August 7, 1970, and I am well aware that Fred A. Schaub died on February 16, 1974, and that all his property was willed to his wife, Lizzie Schaub. I also know that Lizzie Schaub died on October 25, 1978.

I, under oath, further state that the Warranty Deed was prepared by the undersigned, dated September 21, 1970 and later filed on April 27, 1979, which was executed by Fred A. Schaub and Lizzie G. Schaub conveying the above described property to the Wendlings in satisfaction and consummation of the Real Estate Contract. Said Warranty Deed was held in escrow in my office with instructions to be delivered when the Contract was satisfied. This office delivered said Deed held in escrow by the undersigned upon the Contract being satisfied in lieu of a Court Officer Deed. I, under oath, depose and state that I have read over the foregoing and know that the above stated contents are true and correct.

Tom Jenk

Subscribed and sworn to before me by Tom Jenk this 13th day of August, 1990.

Terrie L. Niehaus

Notary Public in and for the State of Iowa

TERRIE L. NIEHAUS

JENK & GOEN
LAW OFFICES
DYERSVILLE, IOWA
52040

FILE No. 35-393
RECORDING FEE $ 5.00
TRANSFER FEE $

FILED FOR RECORD THE 14 DAY OF August, 1990 AT 2:54 O'CLOCK P. M. BOOK 16 PAGE 228

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