AFFIDAVIT

STATE OF IOWA )
) ss:
JONES COUNTY )

I, George L. Eastburn, being first duly sworn on oath do depose and state: That I am the real estate agent that handled the transaction by and between Leo D. O'Rourke and Linda M. O'Rourke, husband and wife, as seller, and James P. Bailey and Jeanann R. Bailey, husband and wife, as buyer, for the sale of the following described real estate located in Delaware County, Iowa:

> The South one-half (S 1/2) of the Northwest Quarter (NW 1/4) and all that part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) that lies West of the Maquoketa River and South of the Wild Cat and Table Rock Road, in Section Thirty Six (36), Township Eighty Seven (87) North, Range Four (4), West of the Fifth P.M.

Further, that pursuant to the real estate transaction an Easement Agreement was executed by Mr. & Mrs. O'Rourke, as seller, and Mr. Bailey, as buyer, which Easement Agreement was dated April 16, 1992, and which agreement was filed for record in the office of the Delaware County Recorder May 13, 1992 in Book 3, Page 62.

Further, I do hereby state that there existed a typographical error in this Easement Agreement on the name of Mr. O'Rourke. Mr. O'Rourke's correct legal name is "Leo D. O'Rourke". In the Easement Agreement, his name was typed as "Leo O. O'Rourke". I do hereby state that the Easement Agreement contained a typographical error relating to the middle initial of Mr. O'Rourke. That wherever in the record chain of title to the above described real estate that reference is had to Leo D. O'Rourke or Leo O. O'Rourke, that reference is had to one and the same person.

George L. Eastburn

STATE OF IOWA )
) ss:
JONES COUNTY )

On this 16 day of July, 1992, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared George L. Eastburn, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Arthur P. Himebaugh
NOTARY PUBLIC, STATE OF IOWA
ARTHUR P. HIMEBAUGH

NOTARIAL SEAL * ARTHUR P. HIMEBAUGH * Iowa

FILE No. 208-350
RECORDING FEE $ 5.00
TRANSFER FEE $

FILED FOR RECORD THE 16 DAY OF July 19 92 AT 2:55 O'CLOCK P. M. BOOK 17 PAGE 81

STATE OF IOWA, DELAWARE COUNTY
Jane A. Lloyd, Recorder
Aff.