AFFIDAVIT

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

The undersigned states as follows:

1. That he is the attorney for Richard J. Foust and Dianne K. Foust.

2. That the attached notice signed by Richard J. Foust and Dianne K. Foust was served on Kevin C. Propst on December 11, 1992 in Warren County, Iowa.

Dated this 22 day of December, 1992.

E. Michael Carr

Subscribed and sworn to before me by E. Michael Carr this 22 day of December, 1992.

Carol A. Cooper
Carol A. Cooper, Notary Public in and for the State of Iowa.

Iowa

FILE No. 247-1901
RECORDING FEE $ 20.00
TRANSFER FEE $

FILED FOR RECORD THE 22 DAY OF December, 19 92 AT 12:16 O'CLOCK P M. BOOK 17 PAGE 138

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Aff.

- Return -

NOTICE

TO: DONALD V. PROPST
DOLORES R. PROPST
KEVIN C. PROPST
CANDY L. PROPST

You and each of you are herewith notified as follows:

1. That the undersigned parties own the real estate described on Attachment 1 hereto.

2. That you own the real estate described on Attachment 2 hereto.

3. That the real estate described on Attachment 1 and Attachment 2 adjoin each other, the west boundary of that shown on Attachment 2 and the portion of the east boundary of that shown on Attachment 1 being the boundary line.

4. That you have placed a fence on the property of the undersigned parties which encroaches approximately 33 feet and you are herewith requested to remove same to your proper boundary which is approximately 33 feet east of its present location.

5. That this notice is given to demand the proper fence line placement on the boundary line and to declare the interruption of any claim you may make, if any by reason of the use of the property of the undersigned as the result of the fence misplacement. You are further notified that it is the intention of the owners to dispute any right you may claim, if any arising from such use or the present misplacement of the fence.

Dated this 16 day of November, 1992.

Richard J. Foust
Richard J. Foust

Dianne K. Foust
Dianne K. Foust

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 16 day of November, 1992 before me the undersigned a Notary Public in and for said State personally appeared Richard J. Foust and Dianne K. Foust to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Carol A. Cooper

Carol A. Cooper, Notary Public in and for the State of Iowa.

ATTACHMENT 1

(FOUST PROPERTY)

Lot 4 of the Plat of Survey of Lux Trust Subdivision of part of Parcel 3 of Hayes Subdivision of Part of the SE¼, SW¼ and of the SW¼, SE¼ of Section 17, and Part of the NW¼ and N½, SW¼ and the W½, NE¼ of Section 20, all of T89N, R5W of the 5th P.M.; and Part of the NE¼, NW¼ of Section 20, T89N, R5W of the 5th P.M., Delaware County, Iowa

ATTACHMENT 2

(PROPST PROPERTY)

That part of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the 5th P.M. described as that part of the following described real estate that lies Northerly of Iowa Highway No. 13 as now located: A strip of land of the uniform width of one hundred (100.0) feet, being fifty (50.0) feet on each side of the centerline of the former Manchester and Oneida Railway, said centerline being described as beginning at Station 84+43½ which is on the South line of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of said Section Twenty (20), thence Northeasterly on a curved line of nineteen hundred ten (1910.0) feet radius, a distance of seven hundred sixty nine and five-tenths (769.5) feet, thence Northeasterly three hundred thirty two and five-tenths (332.5) feet to Lindsey Creek Road, except the Southernmost four hundred thirty three (433.0) feet thereof, and also excepting such portion thereof as may lie South of State Highway #13 as now located, subject to highways and easements of record, in Delaware County, Iowa.

RETURN OF SERVICE **ORIGINAL NOTICE**

STATE OF IOWA, }
WARREN COUNTY } ss

The within notice received this 8TH day of DECEMBER, 1992, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective names:

Name of Defendants	Month	Day	Year	City, Town or Township	County	State
KEVIN C. PROPST	12	11	92	WHITE OAK	WARREN	IOWA

JAMES W. LEE
Sheriff of Warren County, Iowa

By H. R. Sandy Deputy

STATE OF IOWA, }
WARREN COUNTY } ss.

The within notice received this _____ day of _____, 19____, and I certify that on the _____ day of _____ 19____, I served the same on the defendant _____ at his dwelling house or usual place of abode in the City, Town or Township of _____ in _____ County, State of Iowa, and which place was not a rooming house, hotel, club or apartment building, by there delivering a copy thereof to _____, a person residing therein who was then at least eighteen years old.

_____
Sheriff of Warren County, Iowa

By _____ Deputy