AFFIDAVIT

STATE OF IOWA)
) ss:
COUNTY OF LINN)

I, William S. Vernon, being first duly sworn upon my oath depose and state:

1. I am a duly qualified practicing attorney in the State of Iowa and a partner in the law firm of Moyer & Bergman, Cedar Rapids, Iowa. Moyer & Bergman represented Thomas K. Pauly during his life and I am familiar with the facts set forth herein.

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2. On March 26, 1987 a Decree of Dissolution ("Decree") was filed in Case No. DM 14038, Mary K. Pauly, Petitioner and Thomas J. Pauly, Respondent, Linn County District Court, Linn County, Iowa. This Decree incorporated the parties Settlement Agreement and Stipulation ("Stipulation") and confirmed, ordered and ratified said Settlement Agreement and Stipulation as an Order and Judgment of the Court.

3. The Decree stated that ownership of the property shall be as set forth in the Settlement Agreement and Stipulation and ordered the Clerk to make appropriate entries reflecting the change of title at the time the Decree was filed.

4. Pursuant to the Decree, the Clerk was to issue a Change of Title confirming ownership of certain real estate in Thomas J. Pauly, to-wit:

> Lot Five (5) of A. J. Schmidt First Subdivision of part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty (30), Township Eighty-Eight (88) North, Range Four (4), West of the Fifth Principal Meridian, according to Plat recorded in Book 2, Plats, page 110, Delaware County, Iowa, subject to covenants, easements and restrictions of record, located near Delhi, Iowa 52223

(hereinafter "Real Estate").

5. The Settlement Agreement and Stipulation was subsequently sealed by the Court.

6. On June 23, 1993 a Report of Change of Title which changed title to Thomas J. Pauly required by the Decree was recorded.

7. Eileen F. Pauly is the widow of Thomas J. Pauly. The Real Estate was not the homestead or adjacent to their homestead at the date of death of Thomas J. Pauly a/k/a Thomas James Pauly.

FILE No. 300-184
RECORDING FEE $ 11.00
TRANSFER FEE $
FILED FOR RECORD THE 9 DAY OF July 19 93 AT 3:35 O'CLOCK P. M. BOOK 17 PAGE 195
STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
AFF

8. Except as shown of record, there are no outstanding liens, encumbrances, or covenants of record to the affiant's knowledge.

9. This Affidavit is being filed to explain the title status of the Real Estate and cure a potential title objection.

Further affiant sayeth not.

William S. Vernon

Subscribed and sworn to before me on this 8th day of July, 1993.

Notary Public in and for the
State of Iowa

vernon.aff

CHRISTINE M. REGGIS
MY COMMISSION EXPIRES
2-27-95