AFFIDAVIT

STATE OF IOWA )
) ss.
DELAWARE COUNTY )

The undersigned states as follows:

1. She has been the Treasurer of Delaware County, Iowa for 17 years.

2. That she is familiar with the following described property which is currently titled in the name of Robinson Service Incorporated:

> The East one-half of the West six hundred Thirty one and twenty five hundredths (631.25) feet of the East nine hundred eighty three and twenty five hundredths (983.25) feet of the South ninety nine (99) feet of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty Six (26), Township Eighty Nine (89) North, Range Four (4), West of the Fifth Principal Meridian, except any part conveyed to the State of Iowa by Warranty Deed recorded in Book 62, L.D., Page 201, subject to easements of record.

3. That tax sale deeds were issued by the Treasurer of Delaware County filed May 9, 1968 in Book 87 L.D. page 176 and filed October 16, 1979 in Book 106 L.D. page 257 all in the records of the Delaware County Recorder. Both deeds show Arlen C. Johnson and Rachel M. Johnson as the grantees.

4. However on August 8, 1968 by quit claim deed filed November 7, 1968 in Book 87 L.D. page 373 Arlen Johnson and Rachel Johnson, the grantees in the two tax sale deeds conveyed the property to John Freiburger, Grace Freiburger and Carl Freiburger from whose names title descends to the present titleholders.

FILE No. 20-2872
RECORDING FEE $ 16.00
TRANSFER FEE $
FILED FOR RECORD THE 23 DAY OF Mar 19 94 AT 12:09 O'CLOCK P. M. BOOK 17 PAGE 297
STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Aff.

5. Had the Delaware County Treasurer known of the quit claim deed shown in Book 87 L.D. page 373 and dated August 8, 1968 and filed November 7, 1968 the second tax sale deed dated October 16, 1979 and filed for record October 16, 1979 in Book 106 L.D. page 257 would not have been issued since it was a correction tax sale deed simply deleting a portion of the description since too much land was included in the original description already conveyed.

6. The second tax sale deed shown in Book 106 L.D. page 257 conveyed no interest in the real estate to Arlen C. Johnson and Rachel M. Johnson. Furthermore they had already conveyed the real estate to others at the time of the deed. Therefore the effect of such deed is moot. The only purpose of the second tax sale deed was to change the description to reduce the size of the land described. All of the land intended to be conveyed was included in the first tax sale deed and conveyed away by said quit claim deed in Book 87 L.D. page 373 by the said Johnsons.

7. That the whereabouts of Arlen C. Johnson and Rachel M. Johnson is unknown and therefore this affidavit is made to show that even if any claim were attempted to be made by them to the above described real estate, their claim would be null and void because of said deed shown in Book 87 L.D. page 373 where they conveyed away the property to others.

Dated this 21st day of March, 1994.

Helen McWilliams
Helen McWilliams
Delaware County Treasurer

STATE OF IOWA, DELAWARE COUNTY, ss:

I hereby certify that before me a notary public in and for Delaware County, personally appeared the above named Helen McWilliams, Treasurer of said Delaware County, Iowa personally known to me to be the Treasurer of said county at the date of the execution of the above affidavit and to be the identical person whose name is affixed to and who executed the above affidavit as Treasurer of said County, and acknowledged the execution of the same to be her voluntary act and deed as Treasurer of said County for the purposes therein expressed.

Given under my hand and seal this 21st day of March, 1994.

Carolyn A. Wilson
Carolyn A. Wilson, Notary Public in and for the State of Iowa.

CAROLYN A. WILSON
Iowa
NOTARIAL SEAL