A F F I D A V I T

STATE OF IOWA)
) S
COUNTY OF JONES)

I, Kimberly D. Less, and I, Randy Less, being first duly sworn on oath, do hereby depose and state that on or about the 15th day of August, 1995, we entered into a Purchase Agreement wherein we were the prospective Buyers, and Phil Himebaugh was the proposed Seller, in his capacity as Executor of the Ruby Bees Estate.

Subsequent to that point in time, we were unable to obtain financing necessary to purchase the real estate set forth in said Purchase Agreement, and we were therefore unable to purchase said property.

By signing this Affidavit, we both are affirmatively stating that due to our failure to obtain financing, we were unable to purchase the home and/or real estate as set forth in the Purchase Agreement discussed herein, therefore causing said Purchase Agreement to become void due to the failure of that financing contingency.

We further state that irregardless of the failure of said contingency, i.e. our lack of financing, that we have no objection to A. Phil Himebaugh, Executor of the Ruby Bees Estate, to sell this property to any interested party.

This Affidavit has been signed by both of us of our own free will, and not due to coercion or duress of any kind. We have not been promised anything in return for our signing of this document and our signing of same is done so at our own free will.

Signed and dated this 21 day of October, 1995.

Kimberly D. Less
KIMBERLY D. LESS

Randy Less
RANDY LESS

Subscribed and sworn to before me by the said Kimberly D. Less and Randy Less on this 21 day of October, 1995.

GEORGE L. EASTBURN
MY COMMISSION EXPIRES
1/13/98

George L. Eastburn
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

FILE No. 166-1181
RECORDING FEE $ 6.00
TRANSFER FEE $

FILED FOR RECORD THE 23 DAY OF October, 19 95 AT 12:07
O'CLOCK P M. BOOK 18 PAGE 211

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

166-1181

DELAWARE COUNTY IOWA
FILED

'95 OCT 23 PM 12 07

BOOK 18 PAGE 211
DEBORAH L. PEYTON
DELAWARE CO. RECORDER

$6.00

Kimberly D. Less etal

To

Whom It May Concern

HCH Real Estate
P.O. Box 616
Monticello, IA 52310