221-3294
DELAWARE COUNTY IOWA
FILED
'96 MAY 23 AM 11 [illegible]
BOOK 18 PAGE 280
DEBORAH L. PEYTON
RECORDER
$2.00

ENV.

THIS INSTRUMENT PREPARED BY: WILLIAM S. VERNON, Moyer & Bergman, PLC, 2720 1st Avenue NE, P.O. Box 1942, Cedar Rapids, IA 52406-1943, (319) 366-7331

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA)
) ss
COUNTY OF LINN)

I, the undersigned, being first duly sworn hereby deposes and states:

1. I am a registered and licensed attorney in the State of Iowa and practice at Moyer & Bergman, P.L.C., Law Firm, 2720 First Avenue NE, Cedar Rapids, Iowa 52406.

2. I drafted the language for the legal description for the transfer of the property from Leo White and Olive M. White to Cedar Valley Motorsports Park, Ltd. pursuant to a Warranty Deed ("Deed") recorded January 3, 1996, in Book 136, L.D., Page 14 ("Real Estate Description").

3. The Real Estate Description excepts out property previously conveyed to the State of Iowa per a "Warranty Deed and recorded in Book 119, L.D., Page 60". (Correct Description in Deed). However, the excepted out property previously conveyed to the State of Iowa per the Deed language stated "Warranty Deed and recorded in Book 199 L.D., Page 60" (Incorrect Description In Deed).

4. The Warranty Deed from the State of Iowa was recorded in Book 119 L.D., Page 60 and not in Book 199 L.D., Page 60.

5. This affidavit is prepared to explain the title of the Real Estate Description and cure any title objections concerning the Incorrect Description In Deed.

Further affiant sayeth not.

WILLIAM S. VERNON

Subscribed and sworn to me this 22nd day of May, 1996, before the undersigned notary public.

Notary Public, State of Iowa
Shanan R. Klink

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