224-3418
DELAWARE COUNTY IOWA
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'96 MAY 31 PM 3 42
BOOK 18 PAGE 289
BERNICE L. PEYTON
DELAWARE CO. RECORDER
$16.00

First National Bank
Box 620
Oelwein, IA 50662

H. RAYMOND TERPSTRA II, 830 HIGHLEY BUILDING, CEDAR RAPIDS, IOWA 52401 (319) 354-2467

AFFIDAVIT

STATE OF IOWA)
) ss
COUNTY OF FAYETTE)

The undersigned, after first being duly sworn on oath, does hereby depose and state that I am the President of the First National Bank, Oelwein, Iowa which is the owner of certain real estate situated in Delaware County, Iowa all as is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference and that said real estate was obtained prior to the platting of the same by the First National Bank, Oelwein, Iowa from Wilbur Kehrli pursuant to a Warranty Deed dated December 29, 1995 and filed of record on December 29, 1995 in Book 136 at Page 8 of the record of the Delaware County Recorder's Office and that said Deed from Wilbur Kehrli to the First National Bank, Oelwein, Iowa was an absolute conveyance in lieu of foreclosure and that Wilbur Kehrli did not retain any right to repurchase said property from the First National Bank, Oelwein, Iowa or lease said property from the First National Bank, Oelwein, Iowa and that possession of the real estate under the terms of said Warranty Deed was surrendered by Wilbur Kehrli to the First National Bank, Oelwein, Iowa as the Grantee under said Deed.

Wilbur Kehrli has agreed to appropriately fence the real estate deeded by the bank to Wilbur Kehrli as is more particularly described on Exhibit "B", a copy of which is attached hereto and is incorporated herein by reference.

Further Affiant sayeth naught.

First National Bank, Oelwein, Iowa

By: Paul Gray, President

On this 28th day of May, 1996, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul Gray, President of First National Bank, Oelwein, Iowa, to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the within and foregoing instrument, that no seal has been procured by the foregoing corporation; that said instrument was signed on behalf of the corporation by authority of its Board of Directors; and that as an officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

Notary Public in and for the
State of Iowa
DIXIE BAUMGARTNER

COMMISSION EXPIRES: 4-4-99

DATE 5-31-96 BOOK 18 PAGE 289

LEGAL DESCRIPTION

PARCEL A- PART OF SECTION 30, T89N, R5W

PARCEL A, PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) ALL OF SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA; containing a total of 100.00 acres including 0.37 acres of public road right of way, subject to easements of record and more specifically described by metes and bounds as follows:

BEGINNING at the Southwest (SW) Corner of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence along the Westerly Line of said Section Thirty (30) North 00°-18'-28" East 3728.22 feet;

Thence South 89°-28'-53" East to the Westerly Line of a 123 1/8 Acre Parcel as recorded in L.D. Book 65, Page 590 in the Office of the Delaware County Recorder, 1380.34 feet;

Thence along the Westerly Line of said 123 1/8 Acre Parcel South 00°-15'-38" East to the Northeasterly Corner of a 20 Acre Parcel as recorded in L.D. Book 133, Page 200 in the Office of the Delaware County Recorder, 2799.20 feet;

Thence along the Northerly Line of said 20 Acre Parcel North 89°-45'-52" West to the Northwesterly corner of said 20 Acre Parcel 927.78 feet;

Thence along the Westerly Line of Said 20 Acre Parcel South 00°-35'-34" East to the Southerly Line of the Southwest Quarter (SW 1/4) of said Section 920.07 feet;

Thence along the Southerly Line of said Southwest Quarter (SW 1/4) South 90°-00'-00" West 494.20 feet to the POINT OF BEGINNING;

Containing a total of 100.00 acres including 0.37 acres of public road right of way and subject to easements of record.

The Southerly Line of the Southwest Quarter (SW 1/4) of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian is assumed to bear South 90°-00'-00" West.

EXHIBIT "A"

Parcel B, Part of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 7.39 acres, subject to easements of record and more specifically described by metes and bounds as follows:

COMMENCING at the Southwest (SW) Corner of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

thence along the Westerly Line of said Section North 00°-18'-28" East 3728.22 feet to the POINT OF BEGINNING;

Thence continuing along the Westerly Line of said Section North 00°-18'-28" East to the Northwesterly Corner of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of said Section, 241.17 feet;

Thence along the Northerly Line of the Southwest Quarter (SW¼) of said Northwest Quarter (NW¼) to the Westerly Line of a 123 1/8 Acre Parcel as recorded in L.D. Book 65, Page 590 in the Office of the Delaware County Recorder, 1069.45 feet;

Thence along the Westerly Line of said 123 1/8 Acre Parcel South 00°-15'-38" East 33.00 feet;

Thence continuing along said Westerly Line South 89°-28'-50" East 308.50 feet;

Thence continuing along said Westerly Line South 00°-15'-38" East 206.71 feet;

Thence North 89°-28'-53" West 1380.34 feet to the POINT OF BEGINNING;

Containing a total of 7.39 acres and subject to easements of record.

The Southerly Line of the Southwest Quarter (SW¼) of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian is assumed to bear South 90°-00'-00" West.

EXHIBIT "B"