CSB

'96 AUG 19 PM 2 02

18

324

Prepared By: Karl A. Moorman P.O. Box 129, Edgewood, Iowa 52042 (319) 928-6216

AFFIDAVIT

TO WHOM IT MAY CONCERN:

The undersigned first being duly sworn (affirmed) upon oath deposes and states:

1. That I am a resident of Elkader, Clayton County, State of Iowa; that I am well, personally and intimately acquainted with the following described real estate, situated in Delaware County, State of Iowa, to wit:

> The West seventy two (72) feet of the East two hundred twelve (212) feet of the South one hundred twenty four (124) feet of Lot One (1) of Wm. Acers Subdivision of part of NW1/4 of SE1/4 Sec. 20 in T. 89 N. R 5 W 5th Mer., according to plat recorded in Book 15 L.D., Page 413.

2. That Brian A. Muller and I are the partners of the Leonard-Muller Partnership, an Iowa Partnership.

3. That the Leonard-Muller Partnership took title to the above-described real estate by virtue of a Warranty Deed from Loren R. Harbaugh and Laura Harbaugh, husband and wife, dated March 3, 1995 and recorded March 7, 1995 at Book 134, LD, Page 271, of the records of Delaware County, Iowa.

4. That the Leonard-Muller Partnership, granted an Easement for utilities on the above-described real estate to the City of Manchester, Iowa, dated March 20, 1995 and recorded March 27 at Book 5, Misc., Page 125, of the records of Delaware County, Iowa. Further, that said Easement incorrectly identifies me as Brian L. Leonard and that my correct name is Brian J. Leonard.

Dated this 16th day of August, 1996.

Brian J. Leonard

Brian J. Leonard, Affiant

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 16th day of August, 1996, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brian J. Leonard, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

ELAINE M. FUNKE
MY COMMISSION EXPIRES
7-25-99

Elaine M. Funke

Notary Public

DATE 8-19-96 BOOK 18 PAGE 324