1996 - 2752

FILED
RECORDER'S OFFICE
CLAYTON COUNTY, IOWA

'96 OCT -3 A11:45

JEAN WELSH

Prepared by: Michael Schuster, 318 S. River Park Dr., Guttenberg, IA 52052 319-252-1733

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA )
) ss:
COUNTY OF CLAYTON )

I, Lucille Thurn, being first put on oath, depose and state that I am 83 years of age and am the surviving spouse of Clarence Thurn, a/k/a Clarence E. Thurn, who I married in 1928. At the time of his death, Clarence Thurn was the owner of the following described real estate:

> The South fifty three and forty four hundredths (53.44) rods of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) and that part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Ten (10), Township Ninety (90) North, Range Five (5), West of the Fifth P.M. described as commencing at the Northeast corner of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), thence West along the North line of said forty (40) acres forty (40) rods to a point which is the center of the County Road now known as Jet Road, running thence Southeasterly along the line which is the center of the County Road now known as Jet Road, to the East line of said forty (40) acres, thence North to the place of beginning, in Delaware County, Iowa.

I am making this Affidavit due to the fact questions have been raised concerning the ownership of the following-described real estate:

> Commencing sixteen (16) rods North of the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Ten (10), Township Ninety (90) North, Range Five (5), running thence East One Hundred Forty-Three Feet (143'), thence North Sixty-Seven Feet (67'), thence West One Hundred Forty-Three Feet (143'), thence South to the point of beginning, in Delaware County, Iowa.

I know from personal observation that Clarence's father, F. J. Thurn, was the owner and in possession of this 143' x 67' parcel from the early 1930's on and that Clarence Thurn purchased the farm described in the first paragraph above in 1947 and he understood, as did the Grantors, that he took title to the South 53.44 rods of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4), which both he and his father possessed and farmed as long as I knew them without any adverse claim to the

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real estate.

I am also familiar with the fact that portion of the farm which is located in the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) has been described with reference to a point identified as "formerly the center of the state road", which state road is now the County Road running along the south border of the farm and is now known as Jet Road.

Further Affiant sayeth not.

Lucille Thurn
LUCILLE THURN

Subscribed and sworn to before me, the undersigned, a Notary Public in and for the State of Iowa, this 10th day of Sept. 1996 1996.

Marcia K. Wessel
Notary Public

NOTARIAL SEAL IOWA
MARCIA K. WESSEL
MY COMMISSION EXPIRES
12/8/97

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DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
DELAWARE CO. RECORDER
#11.00

Schuster & Mick
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52052-0609