DELAWARE COUNTY IOWA
FILED
1999 MAR 24 AM 9:18
BOOK 199 PAGE 986
DEBORAH L. FENTON
DELAWARE COUNTY RECORDER
16.00

CARR & CARR LAWYERS P.O. BOX 333
MANCHESTER, IA 52057 319-927-4164

AFFIDAVIT

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

The undersigned after being duly sworn on oath states as follows:

1. That I am attorney and have practiced law in Manchester, Delaware County, IA for more than 30 years.

2. That I was well and personally acquainted with Edna M. Culbertson and her affairs. She died intestate on September 19, 1972, a resident of Webster County, IA. She was survived by her husband Donald E. Culbertson, a brother Harold H. Dichtelmiller, another brother George Dichtelmiller and a sister Dorothy Grimm.

3. The said Edna M. Culbertson died seized of the real estate described on Exhibit "A" hereto attached at the time of her death which was titled in her name.

4. That her husband who survived namely Donald E. Culbertson elected to receive the attacheddescribed real estate as a portion of his share as surviving spouse pursuant to Section 633.212 of the 1973 Code of Iowa.

5. That as a result of the death of Edna M. Culbertson and the election made by her surviving husband Donald E. Culbertson, the said Donald E. Culbertson inherited the real estate described on Exhibit "A" attached hereto.

6. A certified transcript of certain proceedings with respect to the Estate of Edna M. Culbertson, Deceased is shown in the District Court Clerk's Office of Delaware County, IA as Probate Case No. P-1379.

7. That this affidavit is being filed in the Recorder's Office of Delaware County, IA to allow the Delaware County Auditor to make proper record of same in such office.

E. Michael Carr

DIANNE K. FOUST Iowa NOTARIAL SEAL

Subscribed and sworn to before me by E. Michael Carr this 18 day of March, 1999.

Dianne K. Foust

Dianne K. Foust, Notary Public in and for the State of Iowa.

EXHIBIT "A"

Commencing 7 feet South of the N.E. corner of the SE¼ SE¼ of Section 31, Township 89N, Range 4W thence running South to railroad right-of-way, thence SWly along railroad right-of-way to the South line of said 40 acres, thence West along the South line of said 40 acres to a point 15 3/4 rods East of the SW corner of said 40, thence N 18 3/4 rods, thence W 15 3/4 rods, thence North along the West line of said 40 to a point 7 feet South of the NW corner of said SE SE Section 31, thence East to beginning; also that part of lot 1182 West of railroad right-of-way and all that part of lots 1183, 1222 and 1223 West of railroad right-of-way in Town of Delaware. Excepting therefrom that portion taken by Iowa State Highway Commission. And further excepting that part of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Thirty-one (31), Township Eighty-nine (89) North, Range Four (4), West of the Fifth Principal Meridian, described as commencing at the Southwest corner of the Southeast Quarter (SE¼) of said Section Thirty-one (31), thence South 89°-29' East 1584.42 feet along the South line of the Southeast Quarter (SE¼) of said Section Thirty-one (31), thence North 1°-53' East 30.43 feet to the point of beginning, thence North 89°-09'-20" East 245.15 feet, thence North 68°-40'-40" East 157.51 feet, thence North 1°-53' East 117.35 feet, thence North 89°-29' West 389.75 feet, thence South 1°-53' West 181.78 feet to the point of beginning.