Farm Credit Services
909 W. Main
Manchester, IA 52057

DELAWARE COUNTY IOWA
FILED
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DEBORAH L. PETTON
DELAWARE CO. RECORDER
11.00

Preparer: James T. Peters, P.O. Box 774, Independence, IA 50644 (319)334-9992

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA, COUNTY OF BUCHANAN, SS:

I, James T. Peters, hereby depose and state as follows:

1. That I served as attorney for the Executor of the Estate of Leo Takes. The Estate of Leo Takes was filed in the Iowa District Court in and for Buchanan County, Probate No. ESPR004892.

2. That it has come to my attention that a federal estate tax lien which was to be filed upon certain property distributed from the Leo Takes Estate has been filed in Delaware County with an incorrect legal description. The federal estate tax lien filed in the Office of the Delaware County Recorder on January 30, 2001, contains the following legal description:

   NW 1/4; N1/2; SE 1/4; N ½ SW 1/4; S ½ NE 1/4; W 7/8 NW 1/4 NE 1/4 Except Parcels A and B all in Section 19, Township 87 North Range 6 of the 5th P.M. Delaware County, Iowa.
   Excepting approximately 80 acres more specifically described as W ½ of NW 1/4 Section 19, Township 87 North, Range 6 of the 5th P.M. Delaware County, Iowa.

3. The description to real estate set forth in that tax lien incorrectly places a lien upon property described as:

   The North ½ of Section 19, Township 87 North, Range 6 West of the 5th P.M., Delaware County, Iowa.

4. This error has been brought to my attention and I have contacted the Internal Revenue Service. The Internal Revenue Service has indicated that they will file a corrective tax lien notice which places the lien on the following-described property instead of the description shown above:

   The NW 1/4; the N ½ of the SE 1/4; the N ½ of the SW 1/4, the S ½ of the NE 1/4; the W 7/8 of the NW 1/4 of the NE 1/4 excepting Parcels A and B, all in Section 19, Township 87 North, Range 6 West of the 5th P.M., Delaware County, Iowa. Excepting approximately 80 acres more specifically described as the W ½ of the NW 1/4 of Section 19, Township 87 North, Range 6 West of the 5th P.M., Delaware County, Iowa.

5. This Affidavit is given to show of record the correct legal description utilized by the Internal Revenue Service in placing the lien upon the wrong property.

6. To my knowledge, the property referred to as the N ½ of Section 19, Township 87 North, Range 6 West of the 5th P.M. was never held by the Estate of Leo Takes and is not subject to such a tax lien.

James T. Peters

Subscribed and sworn to before me by James T. Peters on this 1st day of March, 2002.

SHARON D. SMOCK
Commission Number 149371
My Comm. Exp. 11/17/03

Sharon D. Smock
Notary Public in and for the State of Iowa