DELAWARE COUNTY IOWA
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BOOK 2002 PAGE 4324
DEBORAH L. PEARSON
DELAWARE COUNTY RECORDER
11.00

Ⓧ Abstract Co.

Prepared by: Frank S. Mitvalsky, P.O. Box, Cedar Rapids, IA 52401, Phone 319-364-1535

AFFIDAVIT RE: REAL ESTATE

STATE OF IOWA )
) SS.
COUNTY OF DELAWARE )

The undersigned, Evan R. Hughes, being first duly sworn on oath, deposes and states as follows in connection with the following described real estate, to-wit:

That part of the Northwest fractional Quarter (NW frl. ¼) of Section Four (4), Township Eighty Eight (88) North, Range Five (5), West of the 5th P.M., in Delaware County, Iowa, described as: Commencing at the Northeast corner thereof, running thence West along the North line of said Northwest fractional Quarter (NW frl. ¼) a distance of one thousand nine hundred seventy two (1972) feet, thence South 0°3' West eight hundred seventy three (873) feet, thence South 86°20' East four hundred thirteen (413) feet, thence South 2°40' West three hundred sixty six (366) feet, thence South 74°10' East one thousand two hundred sixty eight (1268) feet, thence North 88°5' East three hundred forty five (345) feet to the East line of said Northwest fractional Quarter (NW frl. ¼), thence North 0°22' East along the East line of said Northwest fractional Quarter (NW frl. ¼) one thousand six hundred eight (1608) feet to the place of beginning, except that part described as commencing at the Northwest corner of said Section Four (4), and running thence East six hundred seventy seven and five-tenths (677.5) feet to the point of beginning, thence East three hundred forty two and one-tenth (342.1) feet, thence South 0°16'30" West forty (40) Feet, thence South 59°40' West four hundred eight and six-tenths (408.6) feet, thence North 0°16'30" East two hundred forty six and four-tenths (246.4) feet to the point of beginning, subject to Easements of record.

and

Lot One (1) of Bobolink Subdivision of Part of Section Four (4) and Section Five (5), Township Eighty Eight (88) North, Range Five (5), West of the Fifth Principal Meridian in Delaware County, Iowa, according to plat recorded in Book 3 Plats, Page 236.

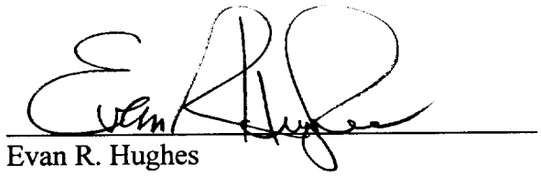
1. I am the president of Hughes Development, Inc., an Iowa corporation, and in such capacity I am familiar with the Warranty Deed in which Manchester Golf & Country Club conveyed the above-described real estate to Hughes Development, Inc., which Warranty Deed

was dated March 15, 2000, was filed for record in the office of the Delaware County Recorder on March 15, 2000, and appears there in Book 2000 at page 814. Attached to said Warranty Deed is Exhibit "B" which contains five numbered paragraphs and refers to covenants relating to the conveyance evidenced by the said Warranty Deed. Paragraph 4 of Exhibit "B" contains reference to "subparagraphs b-d" which do not in fact appear labeled as such in the said Exhibit "B".

2. I am also familiar with the Asset Purchase Agreement between Manchester Golf & Country Club and Hughes Development, Inc., dated March 15, 2000, which provided for the conveyance of the above-described real estate through the above-mentioned Warranty Deed. Paragraph 11 of the Asset Purchase Agreement refers to additional covenants of buyer, and contains subparagraphs b-d, the provisions of which are exactly the same as those contained in paragraphs 1-3 of the above-mentioned Exhibit "B". In addition, subparagraph e of Paragraph 11 of the Asset Purchase Agreement contains exactly the same language as Paragraph 4 of the said Exhibit "B".

3. That I know of my own personal knowledge that the reference to subparagraphs b-d in Paragraph 4 of Exhibit "B" was taken word for word from subparagraph e of Paragraph 11 of the Asset Purchase Agreement, and should instead have referred to subparagraphs 1-3 of Exhibit "B". Further, that the reference to subparagraph d in line 3 of paragraph 4 of Exhibit B should more properly have been referred to subparagraph 3 of Exhibit "B".

Further Affiant sayeth not.



Evan R. Hughes

Subscribed and sworn to before me by the above-named Evan R. Hughes this 6th day of July, 2000.

Notary Public in and for the State of Iowa

