McDonough Real estate
312 E. First St
Monticello, IA 52310

DELAWARE COUNTY IOWA
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DEBORAH L. TENTON
DELAWARE CO RECORDER
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Prepared by: C.J. Matthiessen, 203 W. 1st St., Monticello, IA 52310 319-465-4269

ATTORNEY'S AFFIDAVIT RE: TITLE TO REAL ESTATE

STATE OF IOWA

ss.

COUNTY OF JONES

I, the undersigned C. J. Matthiessen, being first sworn on oath, do state of my own knowledge and belief that on about June, 1975, I was the attorney for Alta F. Matthiessen and C. J. Matthiessen (the elder and father of the affiant). That I had personal knowledge that the buyers of certain realty under contract, i.e. Dale Brown and Judy Brown, husband and wife, were in material breach of their contract with Alta and C. J. Matthiessen to purchase a certain parcel of realty located in Delaware County, Iowa, to-wit:

Lot Three and the West Half of Lot Two, of Block Two of H. A. Carter's Addition to Hopkinton, Iowa, being a part of the West Half of the SW¼ of Section 18, Twp. 87 North, Range 3, West of the 5th P.M."

and that I prepared for them a Notice of Forfeiture of Real Estate Contract and had the same served on them on about the 17th of June, 1975 and filed the same with the Recorder of Delaware County, Iowa on the 18th of June, 1975: further, that the contract purchasers Brown made no payment whatever toward satisfying or expunging their default within the 30 days after service of the instant Notice, and that the contract then stood null and forfeited: further, that a series of purchasers of said parcel have taken title thereto without objection to any flaw in the forfeiture aforementioned; that no claim thereto is pending in any court to my knowledge; further that the provisions of Chapter 656.9, The Code, cure by action of law any and all defects in forfeiture proceedings on file prior to July 1, 1991 and that no action on such proceedings may be filed after July 1, 1992, and that said limitation has foreclosed any such action on the instant forfeiture proceedings for more than ten years past, all of which is true and correct, as I verily believe.

SIGNED AT MONTICELLO, IOWA this 3rd day of January, 2003.

C. J. Matthiessen, Attorney

The foregoing was subscribed and sworn to before me, a Notary Public by c. J. Matthiessen, to me personally known, this 3rd day of January, 2003..

Notary Public in and for Iowa

NICHOLAS M. HEIN
Commission Number 716509
My Commission Expires
3/16/05