1st St. BK.

DELAWARE COUNTY IOWA
FILED
2005 JAN 21 AM 11: 30
BOOK 2005 PAGE 345
DEBORAH L. BRYSON
DELAWARE CO. RECORDER
12.00

Preparer Information William D. Werger, 401 East Main Street, Manchester, (563) 927-5920
Individual's Name | Street Address | City | Phone

William D. Werger, ISBA # 8095

SPACE ABOVE THIS LINE FOR RECORDER

AFFIDAVIT

Concerning:
The Northwest fractional Quarter (NWfr¼) of Section Four (4), Township Eighty Eight (88) North, Range Six (6), West of the Fifth P.M., and beginning at a point eight and forty six hundredths (8.46) chains East of the Southwest corner of the Southeast Quarter (SE¼) of Section Thirty Three (33), Township Eighty Nine (89) North, Range Six (6), West of the Fifth P.M., and running thence East on the Section line twenty three and eleven hundredths (23.11) chains, thence North parallel to the Section line to the North line of the Southeast Quarter (SE¼) of said Section Thirty Three (33), thence West on the Quarter Section line twenty three and eleven hundredths (23.11) chains, thence South to the point of beginning, being a part of the Southeast Quarter (SE¼) of Section Thirty Three (33), Township Eighty Nine (89) North, Range Six (6), West of the Fifth P.M., except that part conveyed to the State of Iowa by Warranty Deed recorded in Book 88 L.., Page 327, also except that part of the East one-half (E½) of the Northwest fractional Quarter (NWfr¼) of Section Four (4), Township Eighty Eight (88) North, Range Six (6), West of the Fifth P.M., described as commencing at the Northwest corner of said Section Four (4), thence North 89° 04' 33" East along the North line of said Section Four (4) a distance of two thousand thirty six and forty two hundredths (2036.42) feet to the point of beginning, thence continuing North 89°04'33" East along said North line six hundred seventeen and sixty one hundredths (617.61) feet, thence South 01°21'46" East one thousand seven hundred fifty three and ninety two hundredths (1753.92) feet, thence South 89°44'49" West four hundred thirty four and twenty four hundredths (343.24) feet, thence North 18°33'59" West four hundred seventy three and seventy four hundredths (473.74) feet, thence North 03°16'30" West one thousand two hundred ninety eighty and forty one hundredths (1298.41) feet to the point of beginning, and also except Parcel A in the NW Fractional ¼ of Section 4, Township 88 North, Range 6 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2001, Page 102.

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

I, William D. Werger, being first duly sworn on oath do depose and state as follows:

1. The legal description used in the Affidavit (see Entry 25) dated February 23, 2004 and filed February 27, 2004 in Book 2004, Page 600; Warranty Deed (see Entry 26) dated February 21, 2004 and filed February 27, 2004; and Warranty Deed (see Entry 27) dated February 23, 2004 and filed February 27, 2004, all contained an error on line 21.

The legal description used in the aforementioned documents stated as follows:

Line 20: (1753.92) feet, thence South 89°44'49" West four hundred thirty four and twenty four
Line 21: hundredths (434.24) feet, thence North **18°33'59'** West four hundred seventy three and

The legal description should have stated as follows:

Line 20: (1753.92) feet, thence South 89°44'49" West four hundred thirty four and twenty four
Line 21: hundredths (434.24) feet, thence North **18°33'59"** West four hundred seventy three and

2. The use of the ' instead of " was a result of a scrivener's error.

Dated this 20th day of January, 2005.

William D. Werger

Subscribed and sworn to before me by William D. Werger this 20th day of January, 2005.

LORI L. DREES
Commission Number 729188
My Commission Expires
2-28-07

Notary Public In And For The State Of Iowa