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DELAWARE COUNTY IOWA
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BOOK 2005 PAGE 619
DEBORAH L. PEYTON
DELAWARE CO RECORDER
1a.00

Prepared by: Robert F. Shimanek, P. O. Box 351, Monticello, IA 52310

AFFIDAVIT

STATE OF IOWA)
) §
JONES COUNTY)

COMES NOW the undersigned, Elaine Hammes and John Hallberg, and state that they are the executors of the estate of William Welter, deceased, Jones County Probate No. ESPR001961.

Said executors further state that Article IV of the Last Will and Testament of William Welter gave a certain option to Mark Welter to exercise regarding the property locally known as "The Home Farm", and legally described as shown on the attached exhibit A.

This Affidavit is to state that Mark Welter has exercised his option to the above "Home Farm", pursuant to Article IV of said will, and has purchased said property from the estate of William Welter, Deceased.

Dated this 25 day of February, 2005.

Elaine Hammes

John Hallberg

Subscribed and sworn to before me by the above-named Elaine Hammes and John Hallberg, this 25 day of February, 2005.

Notary Public

NOTARIAL SEAL IOWA
ROBERT F. SHIMANEK
COMMISSION # 402
MY COMMISSION EXP
2-15-06

Copy

Legal Description
Mark & Diane Welter

Vacated Lots Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Sherwood and Cummings Addition to Sand Spring, Iowa, according to plat recorded in Book 1 L.D., Page 300, also all that part of the South sixty four (64) acres of the West one-half (W½) of the Southwest Quarter (SW¼) of Section Twenty Seven (27), Township Eighty Seven (87) North, Range Three (3), West of the Fifth P.M., lying West of the Chicago, Milwaukee & St. Paul Railroad, except Parcels A and B located in the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Twenty Seven (27), Township Eighty Seven (87) North, Range Three (3), West of the Fifth P.M., according to plat recorded in Book 7 Plats, Page 115, and also except any part contained in the following described tract: commencing at the Southwest corner of Lot Seventy One (71) of said Sherwood and Cummings Addition, and running thence South 1° 15' East sixty six (66) feet, thence West one hundred thirty five (135) feet, thence South 2° 30' East one hundred fifty two and three-tenths (152.3) feet, thence South 86° 00' East two hundred seventy five and two-tenths (275.2) feet to the Westerly line of the abandoned railroad right-of-way, thence North 16° 58' East two hundred forty eight and two-tenths (248.2) feet to the Southeast corner of Lot Seventy Three (73) of said Sherwood and Cummings Addition, thence West to the point of beginning, and further excepting easements to the State of Iowa for highways, from the 8th day of May, 1975, at 8:00 o'clock A.M. to the 4th day of February, 2005, at 8:00 o'clock A.M.

AND

All of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's abandoned one hundred (100) foot wide right of way across the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Twenty Seven (27), Township Eighty Seven (87) North, Range Three (3), West of the Fifth P.M. and across that part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Twenty Seven (27) lying Easterly of the Easterly right of way line of Primary Road No. 38; also the West one-half (W½) of the Southeast Quarter (SE¼) and all East of the Chicago, Milwaukee & St. Paul Railroad right of way of the Southwest Quarter (SW¼) of Section Twenty Seven (27), Township Eighty Seven (87) North, Range Three (3), West of the Fifth P.M.; also vacated Lots Seventy Eight (78), Seventy Nine (79), Eighty (80), Eighty One (81), Eighty Eight (88) and Eighty Nine (89), Sherwood and Cummings Addition to Sand Spring, Iowa, according to plat recorded in Book 1 L.D., Page 300,