Book 2005 Page 957
Document 2005 957 Type 06 10 Pages 2
Date 3/21/2005 Time 1:50 PM
Rec Amt $40.00

DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

CHG

Prepared By J. David Gibbs, 105 West Main Street, Manchester, IA, 563-927-2434

AFFIDAVIT

PARCEL A , PART OF THE NE ¼ & PART OF THE SE ¼ SEC. 28, T88N, R4W; PARCEL B, PART OF THE NW ¼-NE ¼ SEC. 33 & PARTS OF SEC. 28, T88N, R4W; PARCEL E, BEING A PART OF PARCEL A, IN THE E ½ OF SEC. 28, T88N, R 4W; PARCEL F, BEING A PART OF PARCEL E, IN THE E ½ OF SEC. 28, T88N, R4W; and PARCEL I, BEING PART OF PARCEL F, IN THE E ½ OF SEC. 28, T88N, R4W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

I, J. David Gibbs, being first duly sworn on oath depose and state that

1) I prepared the Plat of Survey's of: PARCEL A , PART OF THE NE ¼ & PART OF THE SE ¼ SEC. 28, T88N, R4W as recorded on August 1, 2001, in Book 2001, Page 2758; PARCEL B, PART OF THE NW ¼-NE ¼, SEC. 33 & PARTS OF SEC. 28, & PARCEL C, PART OF SEC. 28, T88N, R4W as recorded on September 27, 2001, in Book 2001, Page 3453; PARCEL D, BEING A PART OF PARCEL A, AND PARCEL E, BEING A PART OF PARCEL A, IN THE E ½ OF SEC. 28, T88N, R 4W as recorded on March 6, 2002 in Book 2002, Page 829; PARCEL F, BEING A PART OF PARCEL E, AND PARCEL G, BEING A PART OF PARCEL E, ALL IN THE E ½ OF SEC. 28, T88N, R4W as recorded on September 13, 2002, in Book 2002, Page 3266; and PARCEL H BEING A PART OF PARCEL F, AND PARCEL I, BEING PART OF PARCEL F, IN THE E ½ OF SEC. 28, T88N, R4W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA as recorded on February 24, 2005, in Book 2005, Page 594, all in the Office of the Delaware County Recorder; and that

2) A scrivener's error was made on a table on the Plats, where it reads:

NUMBER: C1
ARC LENGTH: 310.93
RADIUS: 1927.09
CENTRAL ANGLE: 09°14'40''
CHORD LENGTH: 310.59
CHORD DIRECTION: N 69°37'18" W

And should read:

NUMBER: C1
ARC LENGTH: 315.78
RADIUS: 3175.36
CENTRAL ANGLE: 05°41'53''
CHORD LENGTH: 315.65
CHORD DIRECTION: N 73°19'15" W

3. A scrivener's error was also made in the Legal Descriptions of Parcel's A, E, F, & I where it reads:

THENCE continuing along the Northerly Line of the former Chicago, Milwaukee, and St. Paul Railroad along a circular curve concave Southwesterly for an arc length of 310.93 feet, said circular curve having a radius of 1927.09 feet, a central angle of 09°14'40", a chord length of 310.59 feet, and a chord bearing of North 69°37'18" West.

And should read:

THENCE continuing along the Northerly Line of the former Chicago, Milwaukee, and St. Paul Railroad along a circular curve concave Southwesterly for an arc length of 315.78 feet, said circular curve having a radius of 3175.36 feet, a central angle of 05°41'53", a chord length of 315.65 feet, and a chord bearing of North 73°19'15" West.

4. A scrivener's error was also made in the Legal Descriptions of Parcel B where it reads:

THENCE continuing along the Northerly Line of the former Chicago, Milwaukee, and St. Paul Railroad along a circular curve concave Southwesterly for an arc length of 310.93 feet, said circular curve having a radius of 1927.09 feet, a central angle of 09°14'40", a chord length of 310.59 feet, and a chord bearing of South 69°37'18" East.

And should read:

THENCE continuing along the Northerly Line of the former Chicago, Milwaukee, and St. Paul Railroad along a circular curve concave Southwesterly for an arc length of 315.78 feet, said circular curve having a radius of 3175.36 feet, a central angle of 05°41'53", a chord length of 315.65 feet, and a chord bearing of South 73°19'15" East.

Dated this ___ day of March, 2005.

SURVEYOR'S CERTIFICATE

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

3/21/05

J. David Gibbs L.S. #8419 DATE
My license will be renewed on December 31, 2006

Subscribed and sworn to before me this 21st day of March, 2005.

Donna M. Kunde
Notary Public in and for the State of Iowa

DONNA M. KUNDE
Commission Number 176597
My Commission Expires
8-16-06