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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Preparer Information:

Daniel H. Swift	108 N. Madison Street	Manchester	563-927-4901
Preparer Name	Street Address	City	Phone Number

AFFIDAVIT RE: CONTRACT OF SALE

State of Iowa, County of Delaware, ss:

We, the undersigned, Joe Schmitt and Michelle Schmitt, husband and wife, being first duly sworn on oath, do depose and state as follows:

1. We make this Affidavit in connection with the following described real estate, to-wit:

All that part of Lot Two (2) of the Subdivision of Lot Five (5), according to the survey and corrected plat of the subdivision of the East three-fourths (E ¾) of the South one-half (S ½) of Section Thirty Two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book A Plats, Page 68, described as being at the Southwest corner of Lot Six (6) of said Subdivision of the East three-fourths (E ¾) of the South one-half (S ½) of said Section Thirty Two (32), thence East on the South line of said Lot Six (6) nine and fifty hundredths (9.50) chains to its Southeast corner, thence on the East line of said Lot Six (6) North eleven and four-tenths (11.4) chains, thence South 83° East eleven and thirty five hundredths (11.35) chains, thence South 17° East eight and eighty eight and one-half hundredths (8.88 ½) chains, thence South 30° East three and eight hundredths (3.08) chains, thence South 57 ½° West three (3) chains, thence North 30° West two and five-tenths (2.5) chains, thence South 57 ½ °West sixteen (16) chains to a point in the center of the Delhi and Independence State Road, thence Northwesterly along the center of said road twelve and twenty seven hundredths (12.27) chains to the point of beginning, Delaware County, Iowa

2. We entered into a written agreement to purchase this real estate from Richard D. Schmitt and Deborah Schmitt, husband and wife, on August 28th, 2001.

3. Attached hereto and identified as Exhibit "A" is copy of said Contract and said Exhibit "A" is incorporated herein by this reference.

4. We are the equitable title holders the above-described real estate.

5. Richard D. Schmitt and Deborah Schmitt are holding the legal title as trustee for us pending completion of the Real Estate Contract.

AMY J. BLUMER
COMMISSION # 186416
MY COMMISSION EXPIRES
SEPTEMBER 5, 2005

Joe Schmitt

Subscribed and sworn to before me this 4 day of August, 2005.

Notary Public in and for the State of Iowa

Michelle Schmitt

Subscribed and sworn to before me this 4 day of August, 2005.

Notary Public in and for the State of Iowa

Richard D + Deborah S Schmitt has
bought Leslie Timm acreage + Joe +
Michelle Schmitt wants to buy it
for what we paid for it plus all the
money we put in it. If they pay it
off sooner we get 1 acre in the NE corner
We have the right to have garden there
as long as I live. There is to be no
trees cut in the timber without our
permission. The fences stay the way they
are except for new ones we put in. Stove
and fried stay in the house. They are
to pay 425 dollars a month as rent
starting the 20 day of Sept. 2001.
If payments are not made on time a
30 day notice will be served. If
anything in house is torn up they'll be
responsible for it. They have a right to
have a few calves. But I have the say to
the raising of them around. If anything
happens to Joe, Michelle has 1st rights
to the house. Rent from land comes
off the price of property.
Richard D Schmitt
Joe Schmitt
Deborah Schmitt
Michelle Schmitt 8-28-01