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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

AFFIDAVIT EXPLANATORY OF TITLE

Recorder's Cover Sheet

Preparer Information:
Brian W. Peters, 100 West 12th St, Dubuque, (563) 588-0547

Taxpayer Information:
Bruggeman Real Estate, LLC, 3113 Willow Road, Hopkinton, IA 52237

Return Address
American Trust & Savings Bank, 301 First Ave E, P O Box 307, Dyersville, IA 52040-0307

Grantors:
Bruggeman Real Estate ~~LC~~ LLC

Grantees:
American Trust & Savings Bank

Legal Description: See Page 2

Document or instrument number if applicable: Book 2005, Page 3302

Affidavit Explanatory of Title

State of Iowa)
Dubuque County) ss.

The parties previously executed an Open-End Real Estate Mortgage dated August 17, 2005 and filed September 16, 2005 in Book 2005 Page 3302 of the Delaware County Records. The legal description used by the parties in that mortgage is:

> All that part of the abandoned right-of-way and depot grounds of the Chicago, Milwaukee, St. Paul and Pacific Railroad company in Sand Springs, Delaware County, Iowa, as shown by the plat thereof recorded in Book I, L.D., Page 220-221, lying northerly of the centerline of South Street and lying Southwesterly of the centerline of Spring Street; and Lots 248, 249, 250, and 251 and the west half of lots 181 and 182, Sand Springs, IA, according to the Plat recorded in Book 1, L.D., Page 220, in Delaware County, IA Hopkinton, IA

The current legal description for this property, as reported by Delaware County Abstract, Inc. is as follows:

> The West one-half (W1/2) of Lots One Hundred Eighty One (181) and One Hundred Eighty Two (182), and all of Lots Two Hundred Forty Eight (248), Two Hundred Forty Nine (249), Two Hundred Fifty (250), Two Hundred Fifty One (251), all in Sand Spring, Iowa, according to plat recorded in Book I L.D., Pages 220-221; also all that part of the abandoned right of way and depot grounds of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company in Sand Spring, Delaware County, Iowa, as shown by the plat thereof recorded in Book I L.D., Pages 220-221, lying Northerly of the center line of South Street and lying Southwesterly of the center line of Spring Street.

The parties believe that the descriptions in fact are legally identical, but hereby substitute the second description for the first in the mortgage described above to clarify the legal record as to this property.

Dated: April 12th 2006.

Bruggeman Real Estate, LLC

By: Arnold E. Bruggeman
Arnold E. Bruggeman, Member

By: William R. Wiezorek
William R. Wiezorek, Member

American Trust & Savings Bank

By: Linus Kuboushek 2nd Sr. V.P.
Linus Kuboushek, 2nd Sr. Vice Pres.

By: Pat Hogrefe 1st VP
Patrick D. Hogrefe, 1st Vice Pres.

This instrument was acknowledged before me on April 12th, 2006 by Arnold E. Bruggeman and William R. Wiezorek, the sole members of Bruggeman Real Estate, LLC.

JULIE HERMSEN
Commission Number 718880
My Comm. Exp. 10-7-08

Julie Hermsen
Notary Public in and for the State of Iowa.

This instrument was acknowledged before me on April 12th, 2006 by Linus Kuboushek and Patrick D. Hogrefe, the 2nd Sr. Vice Pres. and 1st Vice Pres., respectively of American Trust & Savings Bank.

JULIE HERMSEN
Commission Number 718880
My Comm. Exp. 10-7-08

Julie Hermsen
Notary Public in and for the State of Iowa.