Abstract Co.

Book 2006 Page 1721
Document 2006 1721 Type 06 010 Pages 2
Date 5/11/2006 Time 2:53 PM
Rec Amt $12.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

PREPARED BY AND RETURN TO: David R. Elkin, 315 East 5th Street, Suite 5, Des Moines, Iowa 50309 (515) 244-3188

Space above this line for Recorder

ESTOPPEL, SOLVENCY AND NON-OWNERSHIP AFFIDAVIT

STATE OF IOWA)
)ss.
COUNTY OF DELAWARE)

I, Jane R. Schultz, depose and state the following:

That I am the identical person who made, executed and delivered that certain Warranty Deed to Nationwide Advantage Mortgage Company, dated the 28 day April, 2006, conveying the following described property:

Lot Nineteen (19) except that part described as commencing at the Northeast corner thereof and running thence West ten (10) feet, thence Southeasterly to a point six (6) feet West of the Southeast corner of said lot, thence East six (6) feet to the Southeast corner of said lot, thence North to place of beginning, and all of Lot Twenty (20), and the East ten (10) feet of Lot Twenty One (21) except the North twenty (20) feet thereof used for a road, all in Earl's Western Addition to Earlville, formerly Nottingham, Iowa, according to Plat recorded in Book 7 L.D., Page 438.

That the aforesaid Warranty Deed to Nationwide Advantage Mortgage Company was an absolute conveyance of the title to said premises to the grantee named therein in effect as well as in form, and was not and is not intended as a mortgage, trust conveyance, or security of any kind, and that possession of said premises has been surrendered to the said grantee; and that the consideration in the aforesaid Deed was and is the full cancellation of all debts, obligations, costs and charges heretofore existing under and by virtue of the terms of a certain mortgage heretofore existing on the property therein and hereinbefore described, executed on May 27, 2003, by Jane R. Schultz as mortgagor, to Farmers & Merchants Savings Bank and filed on May 28, 2003 in Book 2003, page 2550 in the office of the Recorder of Delaware County, Iowa, to secure the payment of a certain promissory note dated May 27, 2003, executed by Jane R. Schultz, to the order of Farmers & Merchants Savings Bank, which note and mortgage were subsequently assigned to and are now held by Nationwide Advantage Mortgage Company.

That the aforesaid Deed and conveyance to Nationwide Advantage Mortgage Company, was made by this affiant as the result of her request that this grantee accept such Deed, and was her free and voluntary act; that at the time of making said Deed this affiant felt and still feels that the mortgage indebtedness above mentioned represented the fair value of the property so deeded; that the said Deed was not given as a preference against any other creditors of Jane R. Schultz; that at the time the said Deed was given there was no person, firm or corporation, other than the grantee therein named, interested, either directly or indirectly, in said premises; that I have no other creditors whose rights would be prejudiced by such conveyance, and that this affiant is not obligated upon any bond or other mortgage or deed of trust whereby any lien or encumbrance has been created or exists against the premises described in said Deed, except one certain Mortgage held by Nationwide Advantage Mortgage Company, which is dated May 27, 2003, and recorded May 28, 2003 in Book 2003, Page 2550 of the records of the Delaware County Recorder; and that this affiant, in offering to execute the aforesaid Deed to the grantee therein, and in executing the same, was not acting under any duress, undue influence, misapprehension or misrepresentation by the grantee in said Deed, or the agent or any other representative of the grantee in said Deed, and that it was the intention of this affiant, as grantor in said Deed, to convey, and by said Deed I did convey, to the grantee therein all my right, title and interest absolutely in and to the premises described in said Deed.

The grantor does hereby assign to the grantee all hazard insurance policies now in effect on the above described property and all escrow deposits for the payment of taxes, insurance and other loan purposes (if any) presently held by Nationwide Advantage Mortgage Company, and grantor further assigns to the grantee the right to receive payment of any claim payable under the terms of any said insurance policies, including any premium refund now or hereinafter payable.

This affidavit is made for the protection and benefit of the aforesaid grantee in said Deed, its successors and assigns, and all other parties hereafter dealing with, or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators and assigns of the undersigned.

Dated this 28 day of April, 2006.

Jane Schultz

Jane R. Schultz

Subscribed and sworn to before me, a Notary Public in and for said state by Jane R. Schultz, this 28th day of April, 2006.

JANE F. WILLENBRING
Commission Number 739679
My Commission Expires
3-14-09

Jane F. Willenbring

Notary Public