Entered for taxation 11 day
of December A.D. 2009
Carla Becker, Auditor
By P Hargrafen Deputy
Parcel # 640-32-13-094-00
640-32-30-016-00
89-175
S-127

Book 2009 Page 4572

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

AFFIDAVIT EXPLANATORY OF TITLE

Recorder's Cover Sheet

Preparer Information:
Daniel H. Swift, 108 N. Madison Street, PO Box 207, Manchester, (563) 927-4901

Taxpayer Information:
Jeff L./Diane K. Ogden, 1332 N. Franklin St., Manchester, IA 52057

Return Address
Daniel H. Swift, 108 N. Madison St., PO Box 207, Manchester, IA 52057

Grantors:
Don H. Shaw and Mildred I. Shaw

Grantees:
Jeff L. Ogden and Diane K. Ogden

Legal Description: See Page 2

Document or instrument number if applicable:

AFFIDAVIT EXPLANATORY OF TITLE

State of Florida, County of Brevard, ss:

We, the undersigned, Don H. Shaw and Mildred I. Shaw, after first being sworn, do depose and state on oath the following:

Guetzko Construction, Ltd., an Iowa Business Corporation, entered into a Real Estate Contract-Installments dated October 1st, 2004 for the sale of the following described real estate, to-wit:

> That part of Lot Nine Hundred Thirty Nine (939) lying North of the North line of Kane Street, extended, in Manchester, Iowa, according to plat recorded in Book I L.D., Pages 284-285; and all that part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Thirty Two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., lying West of the Maquoketa River and South of the original town plat of Manchester, Iowa; and all that part of Lot Four (4) and of Lot One (1) of the Subdivision of Lot Five (5) 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. lying West of the Maquoketa River Containing 31.5 acres, more or less in Delaware County, Iowa

to Jeff L. Ogden and Diane K. Ogden, husband and wife.

The Real Estate Contract-Installments dated October 1st, 2004 was recorded in the office of the Delaware County Recorder on October 15th, 2004 in Book 2004, Page 3897.

Guetzko Construction, Ltd. caused to be prepared an Escrow for Deed and Abstract and Statement of Escrow Agent in an attempt to provide a Warranty Deed for conveyance of this property to be held by an escrow agent for future delivery upon completion of the terms and conditions of the Contract referred to herein. For reasons unknown to the Affiants, the Escrow for Deed and Abstract and Statement of Escrow Agent was never completed, filed, or enacted. The Statement of Escrow Agent and Escrow for Deed and Abstract were provided to Vendees under the Contract for execution and agreement and were not returned.

Subsequent thereto, Guetzko Construction, Ltd. assigned, transferred, and conveyed all of its right, title and interest in and to the Real Estate Contract by and between Guetzko Construction, Ltd., Jeff L. Ogden and Diane K. Ogden. The assignment entitled Don H. Shaw and Mildred I. Shaw to receive all payments from the Contract and required them to assume all rights, privileges, and immunities created therein.

Guetzko Construction, Ltd., subsequent to the assignment of the Real Estate Contract, dissolved the corporation by filing a dissolution with the Iowa Secretary of State on September 7th, 2005. At the time of the dissolution, Don H. Shaw and Mildred I. Shaw were shareholders of Guetzko Construction, Ltd.

As a result of the assignment of the Contract, Don H. Shaw and Mildred I. Shaw, successors to the Vendor's interest in the Contract, are conveying the real estate described herein in full satisfaction of the Real Estate Contract referred to herein. This conveyance is accepted by the Vendees in full satisfaction of the Contract.

Don H. Shaw

This instrument was acknowledged before me on the 2nd day of November, 2009, by Don H. Shaw.

WENDA L. NICHOLLS
Comm# DD0888379
Expires 5/23/2013
Florida Notary Assn., Inc

Notary Public in and for the State of Florida

Mildred I. Shaw

This instrument was acknowledged before me on the 2nd day of November, 2009, by Mildred I. Shaw.

WENDA L. NICHOLLS
Comm# DD0888379
Expires 5/23/2013
Florida Notary Assn., Inc

Notary Public in and for the State of Florida

Jeff L. Ogden

This instrument was acknowledged before me on the 7th day of December, 2009, by Jeff L. Ogden

CONNIE ELLEDGE
Clerk of District Court-Designee
Delaware County

Connie Elledge
Notary Public in and for the State of Iowa

Diane K. Ogden

This instrument was acknowledged before me on the 7 day of December, 2009, by Diane K. Ogden

Connie Elledge
Notary Public in and for the State of Iowa

CONNIE ELLEDGE
Clerk of District Court-Designee
Delaware County