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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by/ return to: Kathleen Law, 700 Walnut, Suite 1600, Des Moines, IA 50309; 515-283-3116

AFFIDAVIT OF SCRIVENER'S ERRORS

STATE OF IOWA, POLK COUNTY) SS:

I, Kathleen Law, state under oath that I am a lawyer practicing in Des Moines, Iowa.

In my capacity as counsel for Elk Wind Energy LLC I prepared the unrecorded Wind Farm Easement Agreement (the "Easement"), a Memorandum of which is recorded in Book 2011 at Page 421 of the Delaware County Records (the "Memo") and the Tenant Subordination, Non-disturbance and Consent Agreement recorded in Book 2011 at Page 422 of the Delaware County Records (the "Tenant SNDCA") (the Easement, the Memo and the Tenant SNDCA are referred to herein as the "Wind Farm Documents").

Due to a scrivener's error made by me in preparation of the legal description for the Wind Farm Documents, there is a minor error contained in Exhibit A to each of the Wind Farm Documents.

The purpose of this affidavit is to explain and correct the scrivener's errors in the Wind Farm Documents identified and explained below.

The error in the legal description in Exhibit A to each of the Wind Farm Documents appears in bold and underline below:

The Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) and the East One-half of the Southeast Quarter (E1/2 SE1/4) of Section Twenty-five (25), Township Ninety (90) North, Range **Four (4)**, West of the 5th P.M., in Delaware County, Iowa.

The correct legal description for Exhibit A to each of the Wind Farm Documents is as follows:

The Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) and the East one-half (E½) of the Southeast Quarter (SE¼) of Section Twenty Five (25), Township Ninety (90) North, Range Five (5), West of the Fifth P.M

Kathleen K. Law

Subscribed and sworn to before me on September 27th, 2011 by Kathleen K. Law.

Kristin Burk

Signature of Notarial Officer

Seal

NOTARIAL SEAL IOWA

KRISTIN BURK
COMMISSION NO. 150035
MY COMMISSION EXPIRES
1-26-2013

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