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Book 2013 Page 2910

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by & Return to: Stephen J. Juergens, 151 W. 8th St., Suite 200, Dubuque, IA 52001 (563) 556-4011

AFFIDAVIT

STATE OF ~~FLORIDA~~ California)
) SS:
Alameda COUNTY)

Re: See Exhibit "A" attached. **ON PAGES #3 - #5**

The undersigned being duly sworn, depose and state as follows:

1. The undersigned are the Trustees of the Weiss Family Trust ("Trustees");

2. The Trustees are successors in interest in the chain of title to the real estate described on Exhibit "A" attached hereto of NF Manchester, LLC, a Delaware limited liability company;

3. NF Manchester, LLC, a Delaware limited liability company was the successor in interest in the chain of title to the real estate described on Exhibit "A" attached hereto of CHFG-IA, a Nevada limited partnership;

4. The Trustees know of their own personal knowledge that a certain Lease dated December 23, 1992, a Memorandum of which was dated December 23, 1992 and filed of record January 7, 1993 in Book 3 Misc., Page 201 in the office of the Delaware County, Iowa Recorder wherein CHFG-IA, a Nevada limited partnership was Landlord and Nash-Finch Company, a Delaware corporation was Tenant concerning the real estate described in Exhibit "A" has been terminated and is no longer of any force or effect.

Further, these Affiants Sayeth Not.

Morris S. Weiss

Audree S. Weiss

~~Subscribed~~ in my presence and sworn to before me on this _____ day of September, 2013, by Morris S. Weiss and Audree S. ~~Weiss,~~ Trustees of the Weiss Family Trust

Notary Public in and for said State.

State of California)
County of Alameda)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On 9/5/2013 before me, M. Stover
(here insert name and title of the officer),

personally appeared Morris S. Weiss and Audrey S. Weiss,
Trustees of the Weiss Family Trust.

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

M. STOVER
COMM. #1968197
Notary Public - California
Solano County
My Comm. Expires Feb. 2, 2016

Signature _____ (Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document

titled/for the purpose of _____

_____,

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
- ☐ Attorney-in-Fact
- ☐ Corporate Officer(s) _____ Title(s)
- ☐ Guardian/Conservator
- ☐ Partner - Limited/General
- ☐ Trustee(s)
- ☐ Other: _____

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

_____.

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐ _____

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EXHIBIT "A"

Parcel I:

Lot Two (2) except the North 177.34 feet of the West Commercial Subdivision part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-one (31), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa except that portion thereof described in a deed conveying to the Iowa State Highway Commission dated August 20, 1969 and recorded in Deed Book 88, page 359 in the Office of the Delaware County Recorder said subdivision as recorded on January 18, 1991 in Book 6 of Plats, page 113, in the Office of the Delaware County Recorder (formerly Parcel A of part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-one (31), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa as recorded on January 10, 1991 in Book 6 of Plats, page 110 in the Office of the Delaware County Recorder, more particularly described by metes and bounds as follows: Commencing at the North Quarter (N 1/4) corner of Section Thirty-one (31), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian; thence along the Northerly line of the Northeast Quarter (NE 1/4) of said Section Thirty-one (31) North 89°-59"-00" East 690.66 feet; thence South 00°-10'-20" West along the Westerly line of Lot Two (2) of the West Commercial Subdivision as recorded in Book 6 of Plats, page 113, in the office of the Delaware County Recorder, 257.59 feet to the Southerly line of a 30 feet ingress and egress easement, the point of beginning; thence along the Southerly line of said 30 foot easement North 89°-57'-35" East to the Westerly line of Lot Three (3) of said West Commercial Subdivision 199.90 feet; thence along the Westerly line of said Lot Three (3) South 00°-10'-55" West 22.66 feet; thence North 89°-55'-30" East 150.00 feet; thence along the Westerly line of said Lot Three (3) South 00°-09'-55" West 512.26 feet to the Northerly line of West Marion Street and the Southwesterly corner of said Lot Three (3); thence along the Northerly line of West Marion Street North 89°-49'-55" West to the Southwesterly corner of said Lot Two (2) and the intersection of the Northerly line of West Marion Street and the Easterly line of South Twelfth Street 349.95 feet; thence along the Easterly line of South Twelfth Street North 00°-10'-20" East 533.56 feet to the point of beginning; Lot Two (2) except the North 177.34 feet. The Northerly line of the Northeast Quarter (NE 1/4) of Section Thirty-one (31), Township

Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian is assumed to bear North 89°-59'-00" East.

Parcel II:

Non-exclusive easement for the benefit of Parcel I, as created by access easement from Wal-Mart Stores, Inc., a Delaware corporation, to Nash-Finch Company dated November 30, 1990 and filed December 7, 1990 in Book 2, page 113 for passageway over: A tract of land in the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 89 North, Range 5 West of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, more particularly described as follows: Commencing at the North 1/4 corner of said Section 31; thence North 89°-59'-00" East 690.69 feet along the Northwesterly line of the Northeast 1/4 of said Section 31; thence South 00°-10'-45" West 81.25 feet to a point on the Southerly right of way of Iowa Highway No. 13, said point being the true point of beginning; thence South 00°-10'-45" West 440.00 feet; thence North 89°-49'-15" West 55.00 feet; thence North 00°-10'-45" East 436.77 feet to point on the Southerly right of way of said Highway 13; thence along said right of way North 85°-26'-30" East 38.17 feet; thence continuing along said right of way North 89°-57'-27" East 16.96 feet to the true point of beginning.

Parcel III:

Non-exclusive easement for the benefit of Parcel I, as created by access easement from Nash-Finch Company, a Delaware corporation, to CHFA-IA, a Nevada limited partnership in Access and Sign Agreement Deed dated December 23, 1992, filed January 7, 1993, in Book 3 of Misc., page 200 over and across the following described lands: A strip of land along the Southerly line of the North 177.34 feet of Lot Two (2) of the West Commercial Subdivision in the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-one (31), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, more particularly described as follows: Commencing at the North Quarter (N 1/4) Corner of said Section Thirty-one (31); thence North 89°-59'-00" East along the Northerly line of the Northeast Quarter (NE 1/4) of said Section Thirty-one (31) 690.66 feet; thence along the Easterly line of South Twelfth Street and extension thereof of the West Commercial Subdivision as recorded in Book 6 of Plats, page 113 in the Office of the Delaware County Recorder South 00°-10'-20" West 257.59 feet to the POINT

OF BEGINNING: thence along the Northerly line of Lot Two (2) except the North 177.34 feet of the West Commercial Subdivision as recorded in Book 6 of Plats, page 113 in the Office of the Delaware County Recorder North 89°-57'-35" East to the Easterly line of said Lot Two (2) 199.90 feet; thence along the Easterly line of said Lot Two (2) North 00°-10'-55" East 30.00 feet; thence South 89°-57'-35" West to the Westerly line of said Lot Two (2) and the Easterly line of said Twelfth Street 199.90 feet; thence South 00°-10'-20" West along the Westerly line of said Lot Two (2) 30.00 feet to the POINT OF BEGINNING.