CHG. F+M BANK

Book 2013 Page 2913

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Preparer: Tim A. Estlund, 100 1st Ave. NE, Ste 105, Cedar Rapids, IA 52401 364-2120
After recording return to: Midland Escrow, 100 1st Ave. NE, Cedar Rapids, IA 52401

PURCHASER'S AFFIDAVIT

RE: (see legal description attached) **ON PAGES #2 - #4**

STATE OF Iowa, Delaware COUNTY) ss:

The undersigned, being first duly sworn on oath, depose and state I/we am/are the purchaser(s) of the above-described real estate. The purchaser(s) has/have relied upon the affidavit from Morris S. Weiss and Audree S. Weiss, Trustees, dated September 5, 2013. The purchaser(s) has/have no notice or knowledge of any adverse claims arising out of the execution and recording of the deed from the trustees. This affidavit is given to establish reliance on the affidavit referred to above for all purposes contemplated under Iowa Code Section 614.14.

Dated September 6, 2013.

Spiegel Family Realty Company Iowa, LLC

By: A.J. Spiegel

Subscribed and sworn to before me on September 6, 2013, by A.J. Spiegel, as Member of Spiegel Family Realty Company Iowa, LLC.

Notary Public, State of Iowa
My commission expires: 11/17/14

NOTARIAL SEAL IOWA
Tirzah N Wedewer
COMMISSION NUMBER 737733
My Commission Expires:
11/17/14

LEGAL DESCRIPTION

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.