Book 2015 Page 1036
Document 2015 1036 Type 06 010 DR
Date 4/30/2015 Time 10:08:41AM Pages 1
Rec Amt $28.00 ~~Aud~~ OVR Amt $5.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by & return to: Drew Virginia F. Wilber, 3112 Brockway Road, PO Box 1020, Waterloo, Iowa 50704-1020 (319)291-6161
Mail Tax Statement to: Terrance A. Walen & Kristin K. Meany-Walen 26136 211th Ave. Manchester, Iowa 52057

AFFIDAVIT REGARDING LEGAL DESCRIPTION

STATE OF IOWA)
) ss:
COUNTY OF BLACK HAWK)

I, Virginia F. Wilber, being first duly sworn, upon my oath depose and state as follows:

1. I am an attorney with Nelson Law Firm, PLLC.
2. On March 2, 2015, I was the closer for the purchase of a property located in Delaware County, Iowa. The borrowers, Terrance A. Walen and Kristin K. Meany-Walen, husband and wife, secured a note and mortgage with Veridian Credit Union, securing the amount of $85,000.00. Said mortgage was dated March 2, 2015 and filed for recording on March 19, 2015 as Book 2015, Page 636 of the records on file in the office of the Delaware County Recorder. The property was transferred to the borrowers by three Warranty deeds, respectively recorded in Book 2015, Page 633, 634 and 635 of the records on file in the office of the Delaware County Recorder.
3. It has recently been brought to my attention that the legal description on the recorded Warranty deeds is incorrect.
4. The Warranty deeds should contain the correct legal description, which is listed below:
Lot Forty (40) of Turtle Creek Camp Replat being part of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), part of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼), and part of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) all in Section Twenty-six (26), Township Eighty-eight North (88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW¼) of the Northwest Quarter(NW ¼), and part of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340, except Parcel FF Part of Lot 40 Of The Turtle Creek Camp Replat Of The Southwest Quarter (SW¼) Of The Northwest Quarter (NW¼) , Section Twenty-Five (25), Township Eighty-Eight North (T88N), Range Five West (R5W) Of The Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 2004, Page 3970; also all lake frontage running to the middle of the Maquoketa River Bed with regard to said Lot Forty (40).
The underlined portion of the above legal description was inadvertently incorrect from said Warranty deeds. This was a scrivener's error only and should have included the legal description as shown above.
5. I request that this Affidavit be recorded with the Delaware County Recorder. I make this Affidavit for the purpose of clearing a possible future title objection and to clarify the legal description of the property.

Dated this 17th day of April, 2015.

Virginia F. Wilber

Subscribed in my presence and sworn to before me, a Notary Public in and for the State of Iowa, by said Virginia F. Wilber, on this 17th day of April, 2015.

AMANDA S BURNS
COMMISSION NO. 777569
MY COMMISSION EXPIRES
8/27/16

Notary Public in and for said State