Recorded: 5/16/2018 at 10:37:24.0 AM
Fee Amount: $29.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2018 PG: 1318

Entered for taxation 17th day
of May A D 2018
Carla K. Becker, Auditor
By P. Hildebrand Deputy

MARGIN ABOVE RESERVED FOR RECORDING INFORMATION

PLEASE RETURN VIA EMAIL TO:
RECORDINGS@SOUTHLAW.COM
AND MAIL ORIGINAL TO:
SOUTHLAW, P.C.
13160 FOSTER SUITE 100
OVERLAND PARK, KS 66213-2660

AFFIDAVIT

DATE OF INSTRUMENT: May 15, 2018

AFFIANT: **Rodger M. Turbak**

LEGAL DESCRIPTION (CONTINUED ON NEXT PAGE IF APPLICABLE):

The West Fifty-eight (58) feet of Lot Three (3) and the East Three-fourths (E 3/4) of Lot Four (4), Block Five (5), Carter's Third Addition to Hopkinton, Delaware County, Iowa, according to plat recorded in Book 19 L.D., Page 104

File No. 182470

AFFIDAVIT OF EXPLANATORY TITLE

Rodger M. Turbak, being first duly sworn upon his oath, states as follows:

He is an attorney with the law firm of SouthLaw, P.C., which was appointed attorney of record for a certain Mortgage executed by Robert Krumviede and Stacy Krumviede, recorded on January 5, 2009, Document No. 2009-33, in Book No. 2009, at Page 33 in the Office of Recorder of Deeds of Delaware County, Iowa.

SouthLaw. P.C. completed a foreclosure against said Mortgage, filed under Case# EQCV008146 in Delaware County, Iowa.

The judicial foreclosure proceedings, Mortgage, and Sheriff's Deed which recorded in the Office of the Recorder of Deeds of Delaware County, Iowa on March 12, 2018, in Book No. 2018, at Page 587 contained an error in the legal description. The documents included the following legal description:

> The West Fifty-eight (58) feet of Lot Three (3) and the East Three-fourths (E 3/4) of Lot Four (4), Block Five (5), Carter's Third Addition to Hopkinton, Delaware County, Iowa, according to plat recorded in Book 19 L.D., Page 104.

The correct legal description for the property is:

> The West Fifty-eight (58) feet of Lot Three (3) and the East Three-fourths (E 3/4) of Lot Four (4), Block Five (5), **H.A.** Carter's Third Addition to Hopkinton, Delaware County, Iowa, according to plat recorded in Book 19 L.D., Page 104.

At the request of the present owner in possession of the real estate described, the affiant states the following:

1. The subject property of the above referenced foreclosure proceedings is legally described as a part of "H.A. Carter's Third Addition".

2. In accordance with the Delaware County Auditor, there is no "Carter's Third Addition to Hopkinton" in Delaware County Iowa.

3. The erroneous legal description used in the aforementioned documents cannot be construed to describe any property in Delaware County, Iowa except that legally described in the caption to the present owner's title opinion.

FURTHER, AFFIANT SAITH NAUGHT.

Rodger M. Turbak, Attorney
IA # AT0012446
c/o SouthLaw, P.C.
13160 Foster, Suite 100
Overland Park, KS 66213

File No. 182470

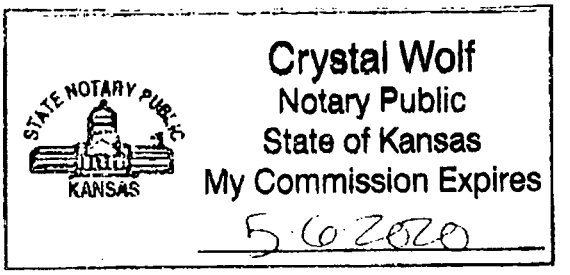
STATE OF KANSAS)
) SS
COUNTY OF JOHNSON)

On this 15th of May, in the year 2018 before me, a Notary Public in and for said state, personally appeared Rodger M. Turbak, attorney with SouthLaw P.C., known to me to be the person who executed the affidavit on behalf of said corporation and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY, I have set my hand and affixed my official seal at my office the day and year last above written.

Crystal Wolf, Notary Public
State of Kansas
County of Johnson

My Commission Expires: 05/06/2020



File No. 182470