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INDX
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

✓ Prepared By: Mark L. Smith, POB 230, Winterset, IA 50273 Telephone No.: 515-462-3731
Return To: Mark L. Smith, POB 230, Winterset, IA 50273

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA :
 :SS
COUNTY OF MADISON :

I, Mark L. Smith, a practicing attorney in Winterset, Madison County, Iowa, after first being duly sworn upon oath, depose and state as follows:

1. This is an Affidavit Explanatory of Title to the following-described real property:

See Addendum 1

2. I prepared the deed to the property dated March 16, 2020, and filed March 17, 2020, in Book 2020, Page 807 of the Madison County, Iowa, Recorder's Office from Lester Floyd Faux and Peral Lynn Faux, Husband and Wife, to Lester Floyd Faux and Peral Lynn Faux, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common.

3. I know of my own personal knowledge that said deed contained an error in the legal description, as it was listed as:

See Addendum 2

4. The true and correct legal description for the property is:

See Addendum 1

5. I give this Affidavit to cure the defect in the legal description and clear any title defect that may have been created by said error.

Mark L. Smith

Mark L. Smith

Subscribed and sworn to before me by the said Mark L. Smith on this 9th day of April 2020.

Kim Leonard

Notary Public in and for the State of Iowa



**ADDENDUM 1 -
CORRECT LEGAL DESCRIPTION**

The East Half (1/2) of the following described property: A tract of land located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-nine (29), in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., City of Patterson, Madison County, Iowa, and more particularly described as follows, to-wit: Commencing at the Northeast corner of Block Five (5) of the Original Town of Patterson, Madison County, Iowa, running thence North 40 feet to the North line of the street, thence South 83°42' West along the North line of the street 330 feet to the Southeast corner of parcel, thence continuing South 83°42' West 132 feet, thence North 132 feet, thence North 83°42' East 132 feet, thence South 132 feet to the Southeast corner of said parcel, AND Parcel "C" located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-nine (29), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 0.20 acres, as shown in Plat of Survey filed in Book 2006, Page 333 on January 25, 2006, in the Office of the Recorder of Madison County, Iowa,

AND

Parcel "H," described as: All that part of Parcel "F" as filed in Book 2005 Page 2005 of the Madison County Recorder's Office, being located in the Northeast Quarter (NE 1/4) of the Southeast Quarter (1/4) of Section 15, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the Southwest corner of said NE1/4 SE1/4, thence North 85°23'06" East, along the South line of said NE1/4 SE1/4, a distance of 151.03 feet, to the Southwest Corner of said Parcel "F," also being the Point of Beginning; thence North 01°13'16" East, a distance of 797.41 feet; thence North 01°13'16" East, a distance of 797.41 feet; thence North 46°22'06" East, a distance of 667.62 feet; thence South 81°24'22" East, a distance of 559.33 feet; thence South 63°01'02" East, a distance of 94.22 feet, to a point on the East line of said NE1/4 SE1/4; thence South 00°09'54" East, along said East line, a distance of 6.88 feet; thence South 22°53'59" West, a distance of 1,160.84 feet, to a point on the South line of said NE1/4 SE1/4; thence South 85°23'06" West, 22.66 acres of land, more or less, including 0.53 acres of road easement.

**ADDENDUM 2 -
INCORRECT LEGAL DESCRIPTION
USED IN DEED**

The East Half (E1/2) of the following described property: A tract of land located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-nine (29), in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., City of Patterson, Madison County, Iowa, and more particularly described as follows, to-wit: Commencing at the Northeast corner of Block Five (5) of the Original Town of Patterson, Madison County, Iowa, running thence North 40 feet to the North line of the street, thence South 83°42' East 132 feet, thence South 132 feet to the Southeast corner of said parcel, AND Parcel "C" located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-nine (29), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 0.20 acres, as shown in Plat of Survey filed in Book 2006, Page 333 on January 25, 2006, in the Office of the Recorder of Madison County, Iowa;

Parcel "H," described as: All that part of Parcel "F" as filed in Book 2005 Page 2005 of the Madison County Recorder's Office, being located in the Northeast Quarter (NE 1/4) of the Southeast Quarter (1/4) of Section 15, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the Southwest corner of said NE1/4 SE1/4, thence North 85°23'06" East, along the South line of said NE1/4 SE1/4, a distance of 151.03 feet, to the Southwest Corner of said Parcel "F," also being the Point of Beginning; thence North 01°13'16" East, a distance of 797.41 feet; thence North 01°13'16" East, a distance of 797.41 feet; thence North 46°22'06" East, a distance of 667.62 feet; thence South 81°24'22" East, a distance of 559.33 feet; thence South 63°01'02" East, a distance of 94.22 feet, to a point on the East line of said NE1/4 SE1/4; thence South 00°09'54" East, along said East line, a distance of 6.88 feet; thence South 22°53'59" West, a distance of 1,160.84 feet, to a point on the South line of said NE1/4 SE1/4; thence South 85°23'06" West, 22.66 acres of land, more or less, including 0.53 acres of road easement.