

LISA SMITH, COUNTY RECORDER
MADISON IOWA

PREPARED BY: Mark L. Smith, Post Office Box 230, Winterset, IA 50273 Telephone: 515/462-3731

AFFIDAVIT

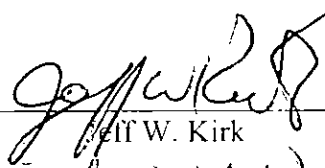
STATE OF IOWA :
 :SS
COUNTY OF [REDACTED] :CLARKE

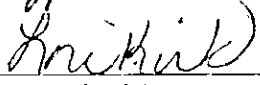
We, Jeff W. Kirk and Lori Kirk, being first duly sworn on oath depose and state:

That we are familiar with the chain of title to the following-described real estate:

See Attached Legal Description.

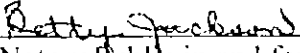
That we claim no right, title or interest in and to said above-described real estate.



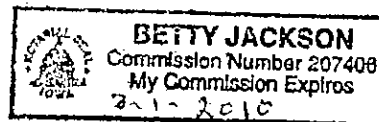
Jeff W. Kirk


Lori Kirk

Subscribed and sworn to before me by the said Jeff W. Kirk and Lori Kirk on this 3
day of JULY, 2008.



Notary Public in and for the State of Iowa



The West 7.75 chains of the North 8.50 chains of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-eight (28), Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, **EXCEPT** the right of way deeded to the Chicago, St. Paul & Kansas City Railway Company more particularly described as follows: A strip of land 100 feet in width extending over and across the North Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of said Section Twenty-eight (28), said strip of land being 50 feet in width on each side of the center line of the main track (now removed) of the Chicago, St. Paul and Kansas City Railway Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company) as said main track center line was originally located and established over and across said Section Twenty-eight (28); **AND EXCEPT** the right of way deeded to the Chicago, St. Paul & Kansas City Railway Company more particularly described as follows: A strip of land 50 feet in width lying Northwesterly of and adjoining said above described 100-foot wide strip of land in the Southeast Quarter ($\frac{1}{4}$) of said Section Twenty-eight (28) and lying Northeasterly of a line drawn radially to said original main track center line at a point thereon distant 1,019.2 feet Northeasterly from the intersection thereof with the West line of said Southeast Quarter ($\frac{1}{4}$) of Section Twenty-eight (28); **AND EXCEPT** a tract described as follows: Beginning at the Southwest corner of the Southeast Quarter ($\frac{1}{4}$) of said Section Twenty-eight (28), thence on an assumed bearing of North $00^{\circ}01'43''$ East along the West line of said Southeast Quarter ($\frac{1}{4}$) 392.48 feet, thence North $52^{\circ}27'54''$ East 41.51 feet, thence South $01^{\circ}25'22''$ East 403.81 feet, thence South $71^{\circ}30'28''$ East 44.44 feet to the South line of said Southeast Quarter ($\frac{1}{4}$), thence North $90^{\circ}00'00''$ West along said South line 85.28 feet to the point of beginning and containing 0.36 acres more or less including present highway and subject to encumbrances of record,

AND

The North Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Thirty-three (33), in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, **EXCEPT** a tract described as follows: Beginning at the Northwest corner of the Northeast Quarter ($\frac{1}{4}$) of said Section Thirty-three (33), thence on an assumed bearing of South $00^{\circ}55'17''$ West 1324.49 feet, thence North $90^{\circ}00'00''$ East 33.00 feet, thence North $05^{\circ}46'52''$ East 469.45 feet, thence North $00^{\circ}37'48''$ East 250.82 feet, thence North $00^{\circ}31'03''$ West 300.70 feet, thence North $13^{\circ}31'07''$ East 185.54 feet, thence North $00^{\circ}31'03''$ West 120.00 feet, thence North $71^{\circ}30'29''$ West 16.91 feet to the North line of said Northeast Quarter ($\frac{1}{4}$), thence North $90^{\circ}00'00''$ West 85.28 feet along said North line to the point of beginning and containing 2.09 acres more or less, including present highway,

