

CC

FILED NO: 764
BOOK 2004 PAGE 764

2004 FEB 20 AM 12:18

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

REC \$ 10⁰⁰
AUD \$ 1⁰⁰
R.M.F. \$ 5⁰⁰

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input checked="" type="checkbox"/>

Preparer Information ✓ G. Stephen Walters, P.O. Box 230, Winterset, Iowa 50273; 515-462-3731

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA :
 :SS
MADISON COUNTY :

I, Jerrold B. Oliver, after first being duly sworn upon oath, depose and state as follows:

1. Attached and incorporated is a Report of Title to the following described real property:

The Southeast Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa.

2. In this Report of Title, there is a Judgment against Cross Claim Defendant Mike Price in Madison County No. SCSC010911.

3. I am an attorney for Defendant Garry Orr in that action, and as such, I know that Cross Claim Defendant Mike Price is a different individual from the "Michael Price", also known as "T. Michael Price", who is a titleholder of the above described real property through a Warranty Deed dated May 9, 2002, and recorded May 9, 2002, in Book 2002 on Page 2241 in the office of the Madison County, Iowa, Recorder.

Jerrold B. Oliver
Jerrold B. Oliver

Subscribed and sworn to before me by the said Jerrold B. Oliver on this 11th day of August, 2003.

Kim Leonard
Notary Public in and for the State of Iowa



REPORT OF TITLE

No. R1375290

We hereby report that according to the Courthouse records of Madison County, Iowa, the most recently filed instrument conveying an interest to the following described real estate, to-wit:

The Southeast Quarter (¼) of the Northwest Quarter (¼) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa,

is a Warranty Deed from Kenneth I. Klingaman, a/k/a Kenneth Klingaman and Ken I. Klingaman and Sue L. Klingaman, Husband and Wife, to **Michael Price and Liz Cahalan**, as Joint Tenants with full rights of survivorship and not as Tenants in Common, dated May 9, 2002, and filed on May 9, 2002, at 1:31 P.M. in Book 2002, Page 2241.

We have also found the following records filed during the period shown below which may affect the title to the Real Estate described above:

- Contracts: None Found
- Mortgages: None Found.
- Probate and Conservatorship Proceedings: None Found
- Divorce Proceedings: None Found

In addition, as requested, we have made a ten (10) year search of the public records in the Courthouse at Madison County, Iowa, for records personally indexed against

Michael Price and Liz Cahalan, and have found the following:

- Real Estate Taxes payable in the fiscal year beginning July 1, 2002, are shown as follows: First half paid in the amount of \$251.00. Second half paid in the amount of \$251.00. (Parcel #590121348000000). NOTE: Real Estate Taxes payable in the fiscal year beginning July 1, 2003, have not been certified by the Madison County Treasurer.
- Income Tax Liens: None Found
- Lis Pendens: None Found
- Financing Statements: None Found
- Judgments and Other Personal Liens: David Barney, Plaintiff vs. Garry Orr, SCSC010911. Judgment entered on July 23, 2003, against Garry Orr and Cross Claim Defendant Mike Price in the amount of \$1,118.00, plus interest at 3.01% from February 7, 2003, and costs in the amount of \$187.92. Notice of Appeal filed July 30, 2003, by Defendant Garry Orr.

This is a report of instruments noted above relating to the title of the above described real estate during the period of May 9, 2002, at 1:31 P.M. to August 4, 2003, at 8:00 A.M. No examination is made and no opinion has been formed as to the legal effect of any instruments or proceedings inspected, and no showing has been made as to easements in relation to said property. This report is for the exclusive information and use of **Wells Fargo Bank Iowa, N.A.** and no liability for errors or omissions will accrue to the benefit of any other person, firm, or corporation.

MADISON COUNTY ABSTRACT CO.

By _____

Kristi Frederick, Abstractor

Title Guarantee Division, Iowa Finance Authority, Member No. 8231

Prod files
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* 993-5559
Bank of Iowa

FAX
15-933-1555