

REC \$ 15.00
AUD \$ _____
R.M.F. \$ 7.00

FILED NO. **003039**
BOOK 2001 PAGE 3039

COMPUTER
RECORDED
COMPARED

01 JUL 12 PM 4:00
MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA



ESTOPPEL AFFIDAVIT

Loan No. **8200476170**

STATE OF IOWA)
) SS:
COUNTY OF _____)

Leslie Barnett and Letitia Barnett, husband and wife, being first duly sworn on their oath, deposes and says:

That they are the identical parties who made, executed, and delivered that certain Warranty Deed to Commercial Federal Bank, a Federal Savings Bank, signed the 5 day of July, 2001, conveying the following-described property:

See Attached Exhibit "A"

That the aforesaid Deed was an absolute conveyance of the title to said premises to the grantee named therein in effect as well as in form, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind, and that possession of said premises has been surrendered to the said grantee; that the consideration for the aforesaid Deed was and is the release of personal liability, on the above set out loan number, of the parties named above.

That the aforesaid Deed and conveyance was made by these deponents as the result of their request that the grantee accept such Deed and was their free and voluntary act; that said Deed was not given as a preference against any other creditors of the deponents; that at the time it was given, there was no other person or persons, firms or corporations, other than the grantee therein named, interested, either directly or indirectly, in said premises; that these deponents have no other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or other mortgage whereby any lien has been created or exists against the premises described in said Deed; and that deponents in offering to execute the aforesaid Deed to the grantee therein, and in executing same, were not acting under any misapprehension as to the effect thereof, nor under any duress, undue influence, or misrepresentation by the grantee or the agent or attorney of the grantee in said Deed, and that it was the intention of these deponents as grantors in said Deed to convey and by said Deed these deponents did convey to the grantee therein all their right, title, and interest absolutely in and to the premises described in said Deed.



Legal description:

Parcel "C" located in the Southeast Quarter (1/4) of the Northwest Quarter (1/4) and the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of section Seven (7), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Northwest corner of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section (7), Township seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa: thence North 89 degrees 50' 48" East along the North line of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of said Section Seven (7), 413.64 feet; thence South 01 degrees 32'24" West 373.76 feet: thence South 89 degrees 57'23" West 824.54 feet; thence North 01 degrees 32'38" East, 373.25 feet to a point on the North line of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) of said Section Seven (7); thence North 89 degrees 59'44" East along the North line of the Southeast Quarter (1/4) of the Northwest Quarter of said Section Seven (7) 410.90 feet to the point of beginning. Said parcel contains 7.062 acres including 0.802 acres of county road right-of-way.