

MICHELLE UTSLER, COUNTY RECORDER
MADISON IOWA

Preparer

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

✓MCA

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA :
:SS
MADISON COUNTY :

I, G. Stephen Walters, after first being duly sworn upon oath, depose and state:

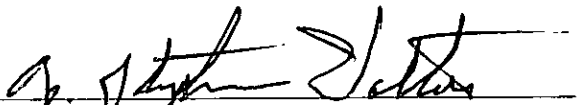
1. This is an Affidavit Explanatory of Title to the following described real property:



Commencing at a point 20 feet North and 66 feet West of the Northwest corner of Lot Four (4), in Block Two (2), of Joel's Addition to the Town of St. Charles, Iowa, running thence South 157 feet, thence West 107 feet, thence North to the North line of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-three (23), in Township Seventy-five (75) North, of Range Twenty-six (26) West of the 5th P.M., thence East along the North line of said Forty Acres to a Point due North of the Place of Beginning, thence South to the Place of Beginning; EXCEPT for a tract described as Commencing at the Northwest Corner of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-three (23), in Township Seventy-five (75) North, of Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence, along the North line of said Northeast Quarter (1/4) of the Northeast Quarter (1/4), North 84°59'40" East 197.80 feet to the Point of Beginning; thence continuing along said North line, North 84°59'40" East 107.41 feet to the West line of Cherry Street extended; thence, along said West line South 00°00'00" 244.00 feet; thence South 90°00'00" West 107.00 feet; thence North 00°00'00" 234.63 feet to the point of beginning. Said excepted parcel of land contains 0.589 acres, including 0.081 acres of County Road Right of Way.

2. I am a lawyer licensed to practice under the laws of the State of Iowa, and I have, for a number of years, represented Rodger H. Briney, who is the current fee simple owner of the above described real property. This Affidavit Explanatory of Title is being completed at his direction, with his authorization.

3. As shown by the attached and incorporated publication, HomeSide Lending, Inc., also known as HomeSide Lending, is owned by and a part of Washington Mutual Bank, F.A., also known as Washington Mutual, and Mortgage Electronic Registration Systems, Inc. (MERS), as nominee for HomeSide Lending, Inc., had actual power and authority to execute and deliver a Mortgage Release to Sherri J. Briney, dated October 18, 2002, and recorded October 24, 2002, in Book 2002 on Page 5241 in the Office of the Madison County, Iowa, Recorder, which released a mortgage from Sherri J. Briney to Farmers & Merchants State Bank, dated June 28, 2002, and recorded July 2, 2002, in Book 2002 on Page 3238 in the Office of the Madison County, Iowa, Recorder, on behalf of Washington Mutual Bank, F.A.


G Stephen Walters

Subscribed and sworn to before me by the said G. Stephen Walters on this 20th day of October, 2005.


Notary Public in and for the State of Iowa

