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Rec Amt \$12.00

MICHELLE UTSLER, COUNTY RECORDER MADISON TOWA

> RECORDED. COMPARED

This instrument prepared by and return to: JAMES W. STEINBERG, ABENDROTH & RUSSELL, P.C., 2536 - 73rd Street, Urbandale, lowa-50322---4700 - Phone # (515) 278-0623

Mail tax statements to:

James M. Nelle, 2751 Heritage Trail, Winterset, Iowa 50273

A&R File #7003-04-MUA-JJ

AFFIDAVIT EXPLANATORY OF TITLE

Legal:

The South 30 Acres of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirty-two (32), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

Address:

2751 Heritage Trail, Winterset, Iowa

I, James W. Steinberg, being first duly sworn upon my oath, do depose and state that I am an attorney duly-licensed in and practicing in the State of Iowa. In such capacity, I have been authorized by the record titleholder in possession of the abovedescribed real estate and by Wells Fargo Bank, N.A., whom I represented in the closing of this transaction on September 27, 2005, to make the following affidavit.

I further state that I am familiar with the chain of title to the above-referenced property. The titleholder, James M. Nelle, executed a certain mortgage given in favor of Wells Fargo Bank, N.A., filed September 29, 2005 and recorded in Book 2005, Page 4710. Due to a Scrivener's error, the legal description referenced on the mortgage was incorrect. The intent was for the mortgage description to read as follows:

ABENDROTH & RUSSELL, P.C.

The South 30 Acres of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirty-two (32), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

This Affidavit is given pursuant to Iowa Code § 558.8 to explain an apparent defect in the chain of title.

Further this Affiant sayeth naught.

STATE OF IOWA

SS:

COUNTY OF POLK

On this Juday of January, 2006, before me the undersigned, a Notary Public in and for said State, personally appeared James W. Steinberg, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that the person executed the same as that person's voluntary act and deed.

Notary Public in and for said State

Dated: January 3, 2006

JAMES W. STEINBERG ABENDROTH & RUSSELL, P.C. 2536 – 73rd Street

Urbandale, lowa 50322

KATHERYN L. BEN!!ETT
Commission Number 137793
My Commission Expires
November 7, 2002