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FILED NO. 528
BOOK 45 PAGE 238
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Lewis H. Jordan

P.O. Box 230

Winterset

AFFIDAVIT

STATE OF IOWA :
 :SS
COUNTY OF MADISON :

REC \$ 10 00
ADD \$ _____
D.M.F. \$ 10 00

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

I, James M. Hochstetler, being first duly sworn on oath depose and say: That I am a licensed land surveyor under the laws of the State of Iowa; and, that I am familiar with the chain of title to the following-described real estate:

Lot Three (3) of Gold Buffet Subdivision, City of Winterset, Madison County, Iowa.

That I was the licensed land surveyor who prepared said Final Plat, and that all of said real estate is encompassed within the West 42 acres of the NW Fraction Quarter of the Northwest Quarter of Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa.

That as shown by the Condemnation proceedings entitled, "State of Iowa, and the Iowa State Highway Commission vs. All heirs of C. Danforth, Deceased" dated August 5, 1931, and filed October 3, 1932, designated Instrument No. 2227, a portion of said real estate was taken for highway purposes.

That thereafter, pursuant to a Resolution of Abandonment dated August 14, 1979, and filed for record August 22, 1979, at Deed Record 112, Page 692, a portion of the land so condemned was abandoned which resulted in a partial reversion to Gold Buffet, Inc., the then owner of the parcel from which the condemned parcel was taken, and a partial reversion also to the said Matthias Challen Danforth and Margaret J. Corley, who in turn quit claimed the same to Gold Buffet, Inc. By virtue of a Quit Claim Deed dated February 3, 1979, and filed for record July 3, 1979, at Town Lot Deed Record 49, Page 209.



Thereafter, Gold Buffet, Inc. Commenced a Quiet Title action in the Iowa District Court for Madison County, Equity #21641, quieting title in Gold Buffet, Inc. To the portion of the roadway abandoned by the Department of Transportation of the State of Iowa.

That all of Lot Three (3) of Gold Buffet Subdivision, City of Winterset, Madison County, Iowa, is encompassed within the real estate conveyed by Dorothy Meyer Hanson and the Iowa-Des Moines National Bank, Trustees of the Alvin Meyer Family Trust created under Trust Agreement dated October 1, 1970, to Gold Buffet, Inc. By Warranty Deed dated April 24, 1973, and filed for record July 11, 1973, at Town Lot Deed Record 45, Page 469, and the real estate acquired by Gold Buffet, Inc. By virtue of the abandonment of the right-of-way by the Iowa Department of Transportation, the Quit Claim Deed from Matthias Challen Danforth and spouse and Margaret J. Corley, single, and the Quiet Title suit brought by Gold Buffet, Inc. Hereinbefore referred to.

Dated at Winterset, Iowa, this 29 day of July, 1998.


James M. Hochstetler

Subscribed and sworn to before me by the said James M. Hochstetler on this 29 day of July, 1998.


Notary Public in and for the State of Iowa

