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Prepared by Mark A. Critelli Law Firm, 4717 Grand Avenue, Des Moines, IA 50312 (515) 255-8750 MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

AFFIDAVIT

REC \$ 10  
AUD \$       
R.M.F. \$ 1.00

STATE OF IOWA )  
                  SS:  
COUNTY OF POLK)


The undersigned, Joseph T. Graney and Susan L. Graney, hereby state the following:

1. That the undersigned are aware that the purchase of the property legally described herein as Exhibit "A" does not include the West 30 feet of the North 10 acres of the NE 1/4 of the SE 1/4 of Section 4-77-28, Madison County, Iowa.
2. That the undersigned are aware that the abstract which was read by Attorney Mark A. Critelli indicated that there was a conflicting Warranty Deed wherein the West 30 feet of the North 10 acres of the NE 1/4 of the SE 1/4 of Section 4-77-28, Madison County, Iowa, is apparently titled in the name of Martin Marietta Materials, Inc., a North Carolina Corporation.
3. That the undersigned discussed this matter with the Sellers, Kenneth P. Wilder and Lulu Belle Wilder, and the Sellers and the undersigned Buyers agree that the West 30 feet as above would not be included in and would not be a part of the sale between the Buyers and the Sellers.
4. That the undersigned are fully aware, acknowledge, agree, and stipulate that the Sellers, Kenneth P. Wilder and Lulu Belle Wilder, can and will quit claim the West 30 feet as mentioned above to Martin Marietta Materials, Inc., a North Carolina Corporation.
5. That the undersigned hereby claim no interest whatsoever in the West 30 feet of the North 10 acres of the NE 1/4 of the SE 1/4 of Section 4-77-28, Madison County, Iowa.

Joseph T. Graney  
Joseph T. Graney, Affiant


Susan L. Graney  
Susan L. Graney, Affiant

On this 3rd day of Sept, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph T. Graney, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

 AARON M. HUBBARD  
MY COMMISSION EXPIRES  
9-28-00

[Signature]  
NOTARY PUBLIC

On this 3rd day of Sept, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Susan L. Graney, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

 AARON M. HUBBARD  
MY COMMISSION EXPIRES  
9-28-00

[Signature]  
NOTARY PUBLIC

The North Ten (10) Acres of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Four (4), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, subject to Madison County Highway easement; and **excepting therefrom** the West 30 feet thereof **and excepting** the following described tract: Beginning at the Northeast corner of the Southeast Quarter (1/4) of said Section Four (4); thence on an assumed bearing of South 89°53'26" West along the North line of said Southeast Quarter (1/4) 398.71 feet; thence South 00°26'26" West 327.70 feet; thence North 89°53'56" East 398.71 feet; thence North 00°26'26" East 327.76 feet to the Northeast corner of said Southeast Quarter (1/4) and the point of beginning said excepted tract containing 3.00 Acres, more or less.

Exhibit  
"A"