

WHEN RECORDED RETURN TO:
William R. Clark, Jr.
1800 Financial Center
Des Moines, IA 50309-3911

REC 10⁰⁰
AUDS
R.M.F.S. 100

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NICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

COMPUTER ✓
RECORDED ✓
COMPARED ✓

Prepared by: William R. Clark, Jr., 1800 Financial Center
Des Moines, IA 50309-3911 (515) 282-8150

STATE OF IOWA)
) SS
COUNTY OF POLK)

I, WILLIAM R. CLARK, JR., after first being duly sworn upon oath do depose and state that I am a licensed practicing attorney in Des Moines, Iowa, with the law firm of Herrick, Langdon & Langdon, 1800 Financial Center, Des Moines, Iowa.

That I am familiar with Thomas A. Pike and Joanne Pike, husband and wife, who own the following-described real estate located in Madison County, Iowa, to-wit:



The Northwest Quarter (1/4) and the West Half (1/2) of the Northeast Quarter (1/4) of Section Twenty-two (22), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 395 on February 24, 1999, in the Office of the Recorder of Madison County, Iowa, AND Parcel "A", located in the North Half (1/2) of the Southwest Quarter (1/4) and the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Twenty-two (22), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 394 on February 24, 1999 in the Office of the Recorder of Madison County, Iowa.

That all or a portion of the above-described real estate was formerly owned by Lanson Howell who passed away on December 29, 1918, a resident of Madison County, Iowa. That Lanson Howell's Last Will and Testament, dated June 9, 1917, was admitted to probate in Madison County, Iowa District Court as Probate No. 2631. That pursuant to his Last Will and Testament, Lanson Howell gave, devised and bequeathed to his son Curtis W. Howell, the NW 1/4 and the North 3/4 of the NE 1/4 of the SW 1/4 and the North 1/2 of the NW 1/4 of the SW 1/4 and the West 1/2 of the NE 1/4 and the North 1/4 of the SE 1/4 of Section 22-T76N-R26 W of the 5th P.M., Iowa, said Curtis W. Howell to hold the same for and during the term of his natural life and at his death to his widow and children, if he leaves a widow and children surviving him, and in the event he shall leave a wife surviving him but shall leave no children, his wife to have 1/3 of such property, the other 2/3 to be divided among the children of Lanson Howell and his heirs-at-law, and in the event that he shall leave no widow or children surviving him, then the whole of said property to go to Lanson Howell's heirs and be divided among them according to laws of descent as prescribed by the statutes of the State. That Lanson Howell's widow, Mary E. Howell, died on October 1, 1948, and her estate was administered in Madison County District Court as Probate No. 5138.

That on November 10, 1972, Curtis Howell and Della A. Howell, husband and wife; Curtis Howell, Jr. and Betty L. Howell, husband and wife; Phyllis D. Wittrup and Norman R. Wittrup, wife and husband; Rose Ann Schmaltz and Eugene A. Schmaltz, wife and husband; Ida Mae Erickson and Floyd Erickson, wife and husband; Jane Wittrup, single; Gwenda Schmaltz, single; Philip Erickson and Linda Erickson, husband and wife; Stacy Howell, single; Mark Wittrup, single; Julie Schmaltz, single; Susan Howell, single; Diana Schmaltz, single; and Todd Schmaltz, single, as Sellers, entered into a contract to sell a portion of the above-described real estate to Donald H. Zarley, said contract being filed of record on January 12, 1973, in Deed Record 102, Page 681 of the Records of the Madison County, Iowa Recorder; that Curtis Howell was one of the sons of Lanson Howell and that Della A. Howell was the wife of Curtis Howell. That Curtis Howell, Jr., Phyllis D. Wittrup, Rose Ann Schmaltz and Ida Mae Erickson, are the children of Curtis Howell and Della A. Howell, who would have an interest in the above-described real estate by virtue of the language set forth in the Last Will and Testament of Lanson Howell, deceased. That Betty L. Howell was the wife of Curtis Howell, Jr. at the time of the execution of the contract and that Norman R. Wittrup, Eugene A. Schmaltz and Floyd Erickson were the husbands, respectively, of Phyllis D. Wittrup, Rose Ann Schmaltz and Ida Mae Erickson, at the time of the execution of the contract to Donald H. Zarley.

That Jane Wittrup, Gwenda Schmaltz, Philip Erickson, Stacy Howell, Mark Wittrup, Julie Schmaltz, Susan Howell, Diana Schmaltz and Todd Schmaltz were the grandchildren of Curtis Howell and Della A. Howell and the only other parties who would have any interest in the real estate referred to above pursuant to the Last Will and Testament of Lanson Howell, deceased.

That at the time of the execution of the contract to Donald H. Zarley, the contract sellers also executed a Warranty Deed conveying the property to the purchaser, to be held in escrow. That Curtis Howell died on January 3, 1977, survived by his wife, Della A. Howell, and his four children, Curtis Howell, Jr., Phyllis D. Wittrup, Rose Ann Schmaltz and Ida Mae Erickson. That the attorney for the estate of Curtis Howell was the late Allan A. Herrick, a senior partner in the law firm of Herrick, Langdon & Langdon. That the undersigned has known Della A. Howell for approximately 20 years and also is acquainted with Rose Ann Schmaltz and Ida Mae Erickson, the daughters of Curtis Howell, deceased, and Della A. Howell. The undersigned is also personally aware that the grandchildren of Curtis Howell and Della A. Howell set forth in the real estate contract dated November 10, 1972, recorded January 12, 1973 in Deed Record 102, Page 681, were all of the grandchildren then living of Curtis Howell and Della A. Howell and that the contract and subsequently-recorded Warranty Deed accurately reflected the marital status of the grantors.

This Affidavit is given for the purpose of identifying certain names in the chain of title to the above-described real estate.

Dated this 12th day of March, 1999.

William R. Clark

Subscribed and sworn to before me this 12th day of March, 1999.

Susan J. Webb
Notary Public in and for the State of Iowa

