

FILED NO. 4811

BOOK 63 PAGE 160

99 MAY 27 PM 2: 12

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

COMPUTER   
RECORDED   
(COMPALED)

REC. \$ 500  
FEE \$ 500  
TAX \$ 100

Prepared by: Marion E. James, 205 1/2 N. Elm, Creston, IA 50801 (515) 782-6000

AFFIDAVIT IN EXPLANATION OF TITLE FOR CHARLES M. SHAFER

STATE OF IOWA, COUNTY OF UNION, ss:

I, Marion E. James, of Creston, Union County, Iowa, being first duly sworn on oath depose and state as follows:

1. I am an attorney engaged in the practice of law in Creston, Union County, Iowa.

2. In my capacity as Attorney for CHARLES M. SHAFER AND RUTH E. SHAFER, I prepared the following document:

WARRANTY DEED, which was recorded on April 30, 1999, in Book 63, Page 111, of the records of the Madison County Recorder's Office.

3. A portion of the legal description in the body of the document was incorrectly shown as follows:

Lots Seven (7) and Eight (8), in Block Two (2) of Bowsby's Addition to Winterset, Madison County, Iowa.

4. However, the owners of the real estate had previously conveyed Lot 7. The correct description of the remaining real estate owned by them is as follows:

Lot Eight (8), in Block Two (2) of Bowsby's Addition to Winterset, Madison County, Iowa.

5. Charles M. Shafer and Ruth E. Shafer did not at the time of the execution of the deed and do not now claim any interest in Lot 7, Block 2, of Bowsby's Addition to Winterset, Madison County, Iowa, and the inclusion of thereof in the warranty deed referenced above was inadvertent and the result of a scrivener's error.

6. This Affidavit is submitted in accordance with Iowa Code Section 558.8 (1999) for the purpose of explaining the erroneous inclusion of Lot 7, Block 2, of Bowsby's Addition to Winterset, Madison County, Iowa, as a part of the above deed.

Further deponent sayeth not.

IN WITNESS WHEREOF, I do hereby sign my name this 25<sup>th</sup> day of May, 1999.

Marion E. James  
Marion E. James

SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of May, 1999.

Linda Hughes  
Notary Public

