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 AUD \$
 R.M.F. \$ MICHELLE UTSLER
 RECORDER
 MADISON COUNTY, IOWA

Prepared by James Vernon Hicks, 109 N. Third, Knoxville, IA 50138
 PH: (515) 842-2197

AFFIDAVIT

STATE OF IOWA :
 ss.
 MARION County :

I, Nancy Ann DeJong, being first duly sworn on oath, depose and state that I am the surviving spouse of William DeJong, Jr., deceased. I was the executor of the estate of William DeJong, Jr. I was acquainted with an easement granted by William DeJong, Jr. and Nancy DeJong, husband and wife, to Paul E. Waugh dated June 18, 1993, and filed July 1, 1993, in Deed Record 131, Page 708, Madison County, Iowa. In that easement, Paul E. Waugh was granted the right to use two wells located on property which was being retained by William DeJong, Jr. and myself. Paragraph 8 of that easement stated the following:

"Should Paul E. Waugh fail to complete the real estate contract between the parties listed in this easement agreement, then this easement agreement shall terminate at the option of the party of the first part upon filing a termination statement."

I further state that Paul E. Waugh failed to complete and perform under the terms of said real estate contract and said contract was forfeited. It is my understanding that no official termination statement was ever filed of record to show termination of the easement referred to herein. I state on behalf of myself and on behalf of any interest that William DeJong Jr. and his estate may have had in said easement, that said easement is now terminated and of no force and effect.

Nancy Ann DeJong
 Nancy Ann DeJong



Subscribed and sworn to before me by the said Nancy Ann DeJong on the 12 day of December, 1998.

Sandra Keller
 Notary Public in and for the State of Iowa.