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MICHELLE UTSLER
RECORDER

THIS INSTRUMENT PREPARED BY: WILLIAM E. BUMP, BUMP AND BUMP LAW FIRM, MADISON COUNTY, IOWA
 P.O. BOX 366, STUART, IA. 50250 PH: 515-523-2843

AFFIDAVIT

I, Albert C. Fagen, also known as Albert Charles Fagen, being first duly sworn on oath depose and state as follows:

That I and my wife, Pamela C. Fagen are the current title holders to the following described real property located in Madison County, Iowa to-wit:

The North Half (1/2) of the Northeast Quarter (1/4) of Section Twenty-eight (28) in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, except Parcel "B" in the Northeast Quarter (NE 1/4) of Section Twenty-eight (28), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., and except Auditor's Parcel letter-"A" in the Northeast Quarter (NE 1/4), more particularly described as that part of the Northeast Quarter (NE 1/4) of Section Twenty-eight (28), Township 77 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, described as follows: Commencing at the Northeast corner of said Section 28; thence on an assumed bearing of South 00°00'00" East along the east line of said Northeast Quarter 1030.72 feet to the point of beginning; thence continuing South 00°00'00" East along said east line 285.95 feet to the Southeast corner of the Northeast Quarter of said Northeast Quarter; thence continuing South 00°00'00" East along the East line of said Northeast Quarter 100.00 feet; thence North 90°00'00" West 435.60 feet; thence North 00°00'00" East 105.43 feet; thence North 89°17'07" West 530.40 feet; thence North 00°00'00" East 257.73 feet; thence North 90°00'00" East 684.28 feet; thence North 86°42'55" East 282.14 feet to the east line of said Northeast Quarter and the point of beginning, said tract containing 6.93 acres more or less; and

Parcel "B" in the Southeast Quarter (1/4) Section Twenty-one (21), and Parcel "B" in the Northeast Quarter (1/4), Section Twenty-eight (28), all in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa.

I am filing this affidavit in conjunction with the chain of title to the above described property which we are in the process of selling to Jack A. Kading and Susan M. Kading, husband and wife,

and James E. Coons and Wanda M. Coons, husband and wife.

That I know from personal knowledge that on January 3, 1956 an Oil and Gas Lease was executed leasing to A.J. Barnett the above described property for the purpose of mining and operating for oil and gas and laying pipelines, and building tanks, powers, power stations and structures upon the above described property to produce, save and take care of oil and gas products. The term of said lease was for a period of 10 years but also provided that said lease would continue thereafter for so long as oil and gas or either of them was produced on the above described land. That I know from personal knowledge that neither oil or gas have been produced upon the above described property since the termination of the above described lease and therefore under the terms thereof, said lease did automatically terminate 10 years after its date.

I also know from personal knowledge that my father, Harold M. Fagen was also known as Harold Fagen and these individuals are one in the same person. I also know from personal knowledge that my brother, Alan Lee Fagen is also known as Al. L. Fagen and that these individuals are one in the same person.

FURTHER THIS AFFIANT SAYETH NOT.

Albert C Fagen
Albert C. Fagen

State of Iowa, County of Guthrie, ss:

On this 25th day of April, 1996, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ALBERT C. FAGEN 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.

William E. Bump
William E. Bump, Notary
Public in and for said County and State



[Faint, illegible text]