

COMPUTER ✓
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FILED NO. 1105

AFFIDAVIT

BOOK 43 PAGE 683

96 OCT 22 AM 10: 57

STATE OF IOWA)
) SS
MADISON COUNTY)

REC \$ 10.00
ADD. _____
R.M.F. \$ 1.00

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Bernard L. Hess, upon being duly sworn, does hereby depose and state as follows:

The Affiant is well and truly acquainted with the real estate legally described as:

Commencing at the Northeast Corner of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Twenty-nine (29), Township Seventy-seven (77) North, Range Twenty-six (26), running thence South Twelve (12) rods, thence West fourteen (14) rods, eight and one-half (8 1/2) feet, thence North Twelve (12) rods, thence East to the place of beginning, said site being more commonly known as subdistrict School No. Five (5)

and

North Half (1/2) of Northeast Quarter (1/4), North Half (1/2) of Southwest Quarter (1/4), Northwest Quarter (1/4) of Southeast Quarter (1/4) (Except the East 20 feet thereof) and except School Site in Northeast Corner of Northwest Quarter (1/4) of Southeast Quarter (1/4), all in Section Twenty-nine (29), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th Principal Meridian, containing in all one hundred ninety-nine and five-tenths (199.5) acres, more or less, all in Madison County, Iowa

and

South Half (1/2) of the Southwest Quarter (1/4) of Section Twenty-nine (29), and the North Half (1/2) of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirty-two (32), in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., in Madison County, Iowa.

The Affiant is also well and truly acquainted with an oil gas lease between Bernard L. Hess and Marilyn J. Hess, lessor, and Benchmark Resources Corporation, leasee, which instrument is dated January 28, 1985 and filed for record on April 10, 1985 in Miscellaneous Record Book 36 at Page 406. The leasee's interest

in the lease was subsequently assigned to H & H Star Energy, Inc. by an instrument dated April 1, 1985 and filed for record on May 8, 1985 in Mortgage Record Book 36 at Page 467. The Affiant states that in regards to this lease that operations by the leasee under the lease upon the above described real estate was not commenced at any time and that the leasee's interest in the above described real estate under this lease agreement has been terminated in all respects.

Further the Affiant sayeth not.

Bernard L. Hess
Bernard L. Hess

Subscribed and sworn to before me on this 19 day of October, 1996.

10-1-97 Larry Watts
Notary Public
Larry Watts