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FILED NO. 1834

BOOK 43 PAGE 755

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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

AFFIDAVIT CURING TITLE DEFECT

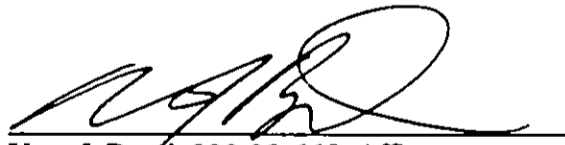
RE: The Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4), Section 33, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa.

STATE OF IOWA)
)ss:
CLARKE COUNTY)

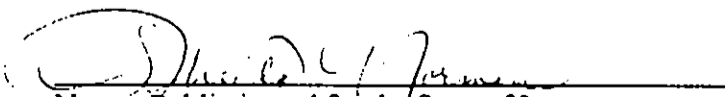
The undersigned, Unes J. Booth, first being duly sworn upon oath, deposes and states:

1. That he is an attorney and represents Larry P. Noftsger and Mary J. Noftsger of Madison County, Iowa.
2. That on October 16, 1996, Gaylen Pryor dba P & W Concrete filed a mechanic's lien in the Office of the Clerk of District Court for Madison County on the above-described property.
3. That on November 30, 1996, a demand to commence suit under Iowa Code Section 572.28 was served by Larry P. Noftsger and Mary J. Noftsger upon Gaylen Pryor dba P & W Concrete. True and accurate copies of the demand to commence suit under Iowa Code Section 572.28 and the affidavit of service of the same by the Union County Sheriff are attached hereto as Exhibits "A" and "B", respectively..
4. No action or legal process for the enforcement of the mechanic's lien has been brought by Gaylen Pryor dba P & W Concrete.
5. The thirty-day period for the enforcement of the mechanic's lien by legal process lapsed on December 30, 1996.
4. The mechanic's lien and all benefits therefrom asserted by Gaylen Pryor dba P & W Concrete has been forfeited and is no longer a cloud on title of the above-described real estate.

Dated this 6th day of January, 1997.


 Unes J. Booth 330-38-665, Affiant
 BOOTH LAW FIRM
 122 W. Jefferson
 Osceola, Iowa 50213
 (515) 342-2619

Subscribed in my presence and sworn to before me by the said Affiant this 6th day of January, 1997.


 Notary Public in and for the State of Iowa


 SHEILA A. NORMAN
 MY COMMISSION EXPIRES
 November 15, 1999

EXHIBIT A

BOOTH LAW FIRM

Attorneys at Law
122 West Jefferson
Osceola, Iowa 50213

Unes J. Booth
William A. Eddy

Telephone: (515) 342-2619
(515) 342-6277
Fax: (515) 342-2019

November 14, 1996

Gaylen Pryor
dba P & W Concrete
RR 3 Box 172B
Afton, Iowa 50830

Re: The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$
NE $\frac{1}{4}$), Section 33, Township 74 North, Range 26 West of
the 5th P.M., Madison County, Iowa.

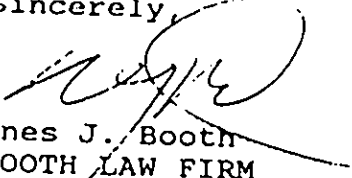
Locally known as 3313 Valley View Avenue, Truro, Iowa.

Dear Mr. Pryor:

YOU ARE HEREBY NOTIFIED, pursuant to Iowa Code §572.28 (1995), that Larry P. Noftsger and Mary J. Noftsger hereby demand that you commence an action to enforce your Mechanic's Lien filed with the Madison County Clerk of Court's Office on October 16, 1996, in the amount of \$1,555.55 with interest thereon as allowed by law, within thirty (30) days from the date this notice is served upon you, or the Mechanic's Lien and all benefits derived therefrom shall be forfeited.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Sincerely,


Unes J. Booth
BOOTH LAW FIRM

Attorney for
Larry P. Noftsger and Mary J. Noftsger

**UNION COUNTY SHERIFF'S DEPARTMENT
PROCESS SERVER'S WORKSHEET**

EXHIBIT B

RECEIVED

CASE NUMBER: _____
SERVE BY THIS DATE: _____

NOV 15 1996

UNION COUNTY SHERIFF

PLAINTIFF: Notsgaer, Larry + Mary
VS
DEFENDANT: Hayden Pryor

- () ORIGINAL NOTICE
- () CHECK NOTICE
- () PROTECT ORDER_TEMP_PERM
- () SUBPEONA_MAG_DISTRICT
- () D.O.T NOTICE
- () ORDER TO SHOW CAUSE
- () JUVENILE SUMMONS-ORDER
- () FORCEABLE ENTRY
- () SHERIFF'S SALE NOTICE
- (X) OTHER Notice of demand to enforce mechanic's lien

PERSON(S) TO BE SERVED:
Hayden Pryor
dba P & W Concrete
RR 3 Box 172 B
Ayton Iowa 50830

HAZARDS: _____ EMPLOYER: _____

COMMENTS: 346-2525

**UNION COUNTY SHERIFF'S DEPARTMENT
RETURN OF SERVICE**

PERSON(S) SERVED: LAYLEN PRYOR
() PERSONAL () SUBSTITUTE - OVER 18 YRS OF AGE () CORPORATE () GOVERNMENT / OFFICIAL

LOCATION SERVED AT: R.R. 3 BOX 172 B

ATTEMPTS:	DATE	OFFICER	REASON
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

DATE SERVED: 11/30/96 TIME SERVED: 2:26 AM/PM
OFFICER: Buty BADGE NUMBER 88-6

COUNTY FEES: 10.00
MILEAGE: 8.64
COPIES: _____

BILLING DATES:
1. 12-4-96 2. _____
3. _____ 4. _____

TOTAL: 18.64

(FEES PAID BY) CHARGED TO:
U. J. Booth