COMPUTER ✓
RECORDED ✓
COMPARED ✓

Prepared by: Terry L. Monson, 100 Court Avenue, Suite 600, Des Moines, Iowa 50309 (515) 243-7611

AFFIDAVIT

FILED NO. 2843
BOOK 44 PAGE 68

STATE OF IOWA)
) ss:
COUNTY OF POLK)

REC $ 10.00
AUD $ ____
R.M.F. $ 1.00

97 APR 18 PM 12: 19

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

I, Del M. Piagentini, state under oath that I am a professional engineer and a registered land surveyor licensed to practice in the State of Iowa. I further state that I have thoroughly investigated county records and plats affecting the property legally described as:

A tract of real estate described as commencing at a point 346 feet East of the Southwest corner of Lot Four (4) in Block Seven (7) of Christopher Wilson's Addition to the Town of Earlham, Madison County, Iowa, thence East 67 feet, thence North 1 chain and 90 links, thence West 67 feet, thence South 1 chain and 90 links to the point of beginning; AND tract of land commencing 346.37 feet East and 125.40 feet North of the Southwest corner of Lot Four (4), Block Seven (7), Wilson's Addition to the Town of Earlham, Madison County, Iowa, thence North 12 feet, thence East 67 feet parallel to Academy Avenue, thence South 12 feet, thence West 67 feet to point of beginning, all within the incorporated limits of the Town of Earlham, Madison County, Iowa, (the "Property")

MCA

with regard to possible errors or discrepancies in the legal description. Based upon my investigation, I have determined the following:

1. No part of the Property lies within the legal description of the Warranty Deed recorded at Book 95, Page 290 of the Madison County records.

2. The south property line of the Property in the deed at Book 95, Page 290, coincides with what is now the south boundary of Eivins' Addition Plat 2. This line is also the north boundary of the Property.

3. The Property extends southerly from its above described north boundary to the North Right of Way line of Northwest 4th Street (Academy Avenue) as now situated.

4. The recorded north-south dimension of the two parcels comprising the Property is 137.4 feet. Ancient description errors make it appear there is less land included in the Property than is truly the case. In fact, there is more land physically present between the north and south boundaries of the Property than is reflected in the north-south dimensions

PLEASE RETURN TO:
MAGNA BANK
3334 Westown Parkway
WEST DES MOINES, IA 50266
Waydon

of above legal description.

5. In my opinion, the above legal description of the Property, though containing an error in measurement of the north-south distance, in fact describes a parcel of ground the north boundary of which is the south boundary of Eivins' Addition, Plat 2 and the south boundary of which is the north right of way line of Northwest 4th Street (Academy Avenue).

6. There does not appear to be any discrepancy or error in the east-west location or dimensions of the Property.

7. This affidavit is given for the purpose of explaining the discrepancy in the recorded north-south dimensions of the Property and to establish the the legal description set forth above actually refers to a parcel of ground having the northerly and southerly boundaries detailed in paragraph 5, above.

Del M. Piagentini

Subscribed and sworn to before me this 17 day of April, 1997.

Notary Public in and for the State of Iowa

CMAYER\85507\1\\19464001