

REC. \$ 5.00

A.D.S.

R.M.F. \$ 1.00

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MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

SEARCHED   
RECORDED   
COMPALED

John E. Casper, 223 East Court, Winterset, IA 50273-0067 (515) 462-4912

AFFIDAVIT

STATE OF IOWA )  
                              ) SS  
MADISON COUNTY )

I, Steven D. Warrington, upon being duly deposed, do hereby state as follows:

The affiant is a Senior Vice President of the Union State Bank and is well and truly acquainted with the title to the real estate legally described as:

The East 120 Acres of the Southwest Quarter (1/4) of Section Eight (8), in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, excepting therefrom the following described tract of land, to-wit: Beginning at a point on the quarter section line 460 feet South of the center point of said Section Eight (8), running thence West 174 feet, thence South 340 feet, thence East 174 feet, thence North on the quarter section line to the point of beginning.

The affiant is further well and truly acquainted with the real estate contract between the Union State Bank as Seller and Danny J. Allen and Sonia B. Allen, as Buyer, which contract is dated December 14, 1987 and filed for record in the Madison County Recorder's Office on December 16, 1987 in Deed Record Book 123 at page 745. In addition, the affiant is well and truly acquainted with the Quit Claim Deed by Danny J. Allen and Sonia B. Allen as Grantor to the Union State Bank as Grantee, which instrument is dated March 6, 1989 and filed for record in the Madison County Recorder's Office on March 8, 1989 in Deed Record Book 125 at page 362. This Quit Claim Deed was intended to and did convey all the Grantors' right, title and interest in and to the real estate described in the deed instrument. This deed was intended by the Grantors as an absolute conveyance in fee simple of the Grantors' interest in this real estate and the instrument was not given as additional security to secure any loan made to either of the Grantors by the Grantee. This Quit Claim Deed was given by the Grantors in exchange for the Grantors' release from the liability under the real estate contract described above.

In addition, the affiant does further state that Danny J. Allen and Sonia B. Allen were afforded the opportunity given under Iowa Code Section 524.910 to repurchase this real estate as that Code Section then provided, but Danny J. Allen and Sonia B. Allen, individually and jointly, declined any right or option they may have had to repurchase the above described real estate.

Further the affiant sayeth not.

*Steven D. Warrington*  
\_\_\_\_\_  
Steven D. Warrington

Subscribed and sworn to before me this \_\_\_\_\_ day of June, 1997.

*Teresa K. Golightly*  
\_\_\_\_\_  
Notary Public

