



BK: 2010 PG: 1288  
 Recorded: 6/7/2010 at 10:49:28.0 AM  
 Fee Amount: \$14.00  
 Revenue Tax:  
 LISA SMITH RECORDER  
 Madison County, Iowa

INDX ✓  
 ANNO ✓  
 SCAN  
 CHEK

Prepared by/Return to: Seth R. Delutri, 801 Grand Avenue, Suite 3700, Des Moines, IA 50309; 515-246-5885

**AFFIDAVIT EXPLANATORY OF TITLE**

STATE OF IOWA )  
 ) ss.  
 COUNTY OF POLK )

The undersigned, first being duly sworn on oath, states as follows:

1. This Affidavit Explanatory of Title (hereinafter the "Affidavit") is given from my own personal knowledge and is given for the purpose of clearing title to the following described real estate (hereinafter the "Real Estate"):

Parcel "D" located in the Southwest Fractional Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirty (30), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 14.27 acres, as shown in Plat of Survey filed in Book 2008, Page 1208 on April 15, 2008, in the Office of the Recorder of Madison County, Iowa.

2. I am an attorney with Bradshaw, Fowler, Proctor & Fairgrave, P.C., 801 Grand Avenue, Suite 3700, Des Moines, Iowa.

3. I examined the abstract for the above-referenced property in order to render preliminary and final title opinions.

3. During such examination, errors or omissions were observed in the Warranty Deed from Lisa D. Mitchell and Maurice D. Mitchell, Jr., Wife and Husband, To J. Russell Hixson, recorded in Book 2002 at page 2962 of the Madison County, Iowa records.

4. Specifically, the year on the acknowledgment for such Warranty Deed was not completed. Additionally, title to the property had formerly been conveyed to Lisa D. Mitchell and Maurice D. Mitchell, Jr., D/B/A L&M Investments in a Warranty Deed recorded in Deed Record 132 at page 542.

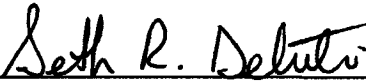
5. To ensure clear title, I required the above issues be corrected by Quit Claim Deed duly signed and acknowledged by Lisa D. Mitchell and Maurice D. Mitchell, Jr., wife and husband, D/B/A L&M Investments to J. Russell Hixson, to be duly recorded with the Madison County, Iowa Recorder.

6. In that regard, a Quit Claim Deed was prepared and executed by Lisa D. Mitchell and Maurice D. Mitchell, Jr., wife and husband, D/B/A L&M Investments to J. Russell Hixson. Said Quit Claim Deed is dated April 28, 2010, filed April 28, 2010, and recorded in Book 2010 at page 953 of the Madison County, Iowa Records.

7. This above-referenced Quit Claim Deed was intended to be, and should only be considered a Corrective Deed, which was signed and recorded to correct the objections listed in Paragraph 4 of this Affidavit not as a conveyance of any other interest.

8. This Affidavit is given to clear any further title objections with respect to the property.

Dated this 4th day of June, 2010.

  
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Seth R. Delutri

Subscribed and sworn to me this 4th day of June, 2010.

  
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Notary Public in and for the State of Iowa

