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FILED NO. 309
BOOK 42 PAGE 381
94 AUG -1 PM 3:28
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

AFFIDAVIT

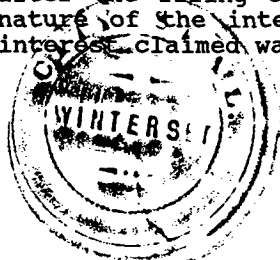
STATE OF IOWA)
) SS
MADISON COUNTY)

We, Jerry L. Schwertfeger and Mark J. Nitchals, being first duly sworn, on oath depose and say that on December 28, 1990 the County Treasurer issued a tax deed to City of Winterset for the following described parcel:

The Railroad right-of-way across Lots One (1) and Two (2), in Block Seven (7) in the Original Town of Winterset, Madison County, Iowa,

that the tax deed was filed for record in the Office of the County Recorder of Madison County, Iowa, on December 31, 1990, and appears in the records of the office in Madison County as recorded in Book 56 Page 396 of the Records; and that City of Winterset is now in possession and claims title to the parcels by virtue of the tax deed, or purported tax title.

Any person claiming any right, title, or interest in or to the parcel adverse to the title or purported title by virtue of the tax deed referred to shall file a claim with the recorder of the county where the parcel is located, within one hundred twenty (120) days after the filing of this Affidavit, the claim to set forth the nature of the interest, also the time and manner in which the interest claimed was acquired.



Jerry L. Schwertfeger
Jerry L. Schwertfeger, Mayor

Mark J. Nitchals
Mark J. Nitchals, City Administrator

STATE OF IOWA)
) SS
MADISON COUNTY)

On this 18th day of July, 1994, before me, Cindy M. Bush, a Notary Public in and for the State of Iowa personally appeared Jerry L. Schwertfeger and Mark J. Nitchals, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of Winterset, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution adopted by the City Council, of the City Council on the 18th day of July, 1994, and that Jerry L. Schwertfeger and Mark Nitchals acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Cindy M. Bush
Notary Public