

AFFIDAVIT EXPLANATORY OF TITLE

94 SEP 23 AM 8:46

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

STATE OF IOWA)
)ss
COUNTY OF STORY)

COMPUTER ✓
RECORDED ✓
COMPARED ✓

Reference: Part of the NW¼SW¼ of Sec. 26, T76N, R27W of the 5th P.M., of Madison County, Iowa.

I, Bill D. Abbott, of lawful age, first being duly sworn on oath, depose and say:

That I am the Title and Closing Supervisor of the Office of Right of Way of the Project Development Division of the Iowa Department of Transportation and, as such, have custody and control of all right of way acquisition and disposal records of such Office.

That the Iowa State Highway Commission, now known as the Department of Transportation acting in behalf of the STATE OF IOWA acquired a parcel of land by an Easement for Public Highway.

That a typographical error appears in a certain Easement for Public Highway to the State of Iowa, from Vera L. Catterlin, single, executed on November 18, 1931, before a Notary Public, and filed for record in the Office of the Recorder, Madison County, Iowa, in Book 70 of Deeds on Page 276, on January 31, 1933. The first (1st) paragraph of the description was found to be in error.

That the first (1st) paragraph of the description is recorded as follows:

A strip of land 83 feet wide lying adjacent to and on the northerly side of the C.R.I. & P. R.R. Co's right of way and extending from the East line of the NW¼SE¼ Section 26, T76N, R27W, to the West line of said Section 26.

The description is corrected to read as follows:

A strip of land 83 feet wide lying adjacent to and on the northerly side of the C.R.I. & P. R.R. Co's right of way and extending from the East line of the NW¼SW¼ Section 26, T76N, R27W, to the West line of said Section 26.

Dated this 20th day of September, 1994.

Bill D. Abbott
Bill D. Abbott
Title and Closing Supervisor
Office of Right of Way
Project Development Division
Iowa Department of Transportation

STATE OF IOWA, COUNTY OF Story, ss:

On this 20th day of September, 1994, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Bill D. Abbott, to me personally known, who, being by me duly sworn, did state that he is the Title and Closing Supervisor of the Office of Right of Way, Project Development Division of the Iowa Department of Transportation, and that by authority of the Iowa State Highway Commission Order No. 71-298 approved by said Commission at a regular meeting on March 3, 1971, that he is authorized as Title and Closing Supervisor to execute the above instrument on behalf of said Commission and further, that the instrument is the voluntary act and deed of the Project Development Division, Iowa Department of Transportation.

(SEAL)

Reeva P. Petersen (Sign in Ink)

(Print/TypeName)
Notary Public in and for said State of Iowa



Approved as to form:

DAVID A. FERREE
Special Assistant Attorney
General and General Counsel to the
Iowa Department of Transportation

By *Noel C. Hindt* (Date) 9-20-94
Assistant Attorney General
Noel C. Hindt