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REC \$ 10.00
 AUD \$ _____
 R.M.F. \$ 1.00

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 BOOK 42 PAGE 628
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MICHELLE UTSLER
 RECORDER
 MADISON COUNTY, IOWA

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA)
) ss:
 MADISON COUNTY)

I, Roy E. Harris, state:

1. This affidavit is given in order to clarify title to the following described real estate:

All that part of Cherry Street in the Original Town of Earlham, Madison County, Iowa, lying South of the South boundary line of Railroad Avenue, and North of the North line of the Right of Way of the Chicago, Rock Island and Pacific Railroad Company in said town,

AND

That part of the former Chicago, Rock Island and Pacific Railroad Company's depot grounds, as described in Quit Claim Deed recorded in Book 57, Page 626 and 627, Madison County Recorder's Office, lying south of Lot 1, Block 13, Original Town of Earlham, Madison County, Iowa, described as follows:

Beginning at the southeast corner of said Block 13; thence South 00 degrees 00 minutes 00 seconds East along the west line of vacated Cherry Street 89.78 feet to a point 50.00 feet radially distant from the centerline of the former Chicago, Rock Island and Pacific Railroad Company's main track; thence northwesterly a distance of 165.54 feet along a curve concave to the northeast and not tangent with the last described line, said curve has a radius of 5679.65 feet, central angle of 1 degree 40 minutes 12 seconds, chord bearing of North 77 degrees 58 minutes 54 seconds West, and is 50.00 feet radially distant from said main track centerline; thence North 00 degrees 17 minutes 13 seconds East 96.04 feet to the southwest corner of Lot 1 of said Block 13; thence South 75 degrees 50 minutes 29 seconds East along the southerly line of said Lot 1, 166.48 feet to the southeast corner of said Block 13 and the point of beginning.

Said tract contains 15,029 square feet.

2. A real estate contract for the sale of certain real estate including that described above was dated February 17, 1983, and

recorded on April 26, 1983, in Deed Record 51, commencing on Page 171.

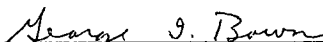
3. The real estate described in that contract included that described above. Title to the real estate which is the subject of this affidavit was as of the date of the execution of the contract in Harris & Sons Construction Co., Inc.

4. Roy E. Harris and Marnice R. Harris appeared as Sellers either as a result of a scrivener's mistake or to convey title to real estate other than that which is the subject of this affidavit. Neither I nor Marnice R. Harris ever claimed to own the real estate described in Paragraph 1 of this affidavit individually, and title to that real estate was as of the date of the execution of the contract in Harris & Sons Construction Co., Inc.



Roy E. Harris

Subscribed and sworn to before me by Roy E. Harris this
30th day of December, 1994.



Notary Public in and for the State of Iowa

