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BOOK 42 PAGE 697

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AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA)
) ss:
MADISON COUNTY)

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

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

I, Roy E. Harris, state:

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

Lot Three (3) in Block Thirteen (13) in the Original Town of Earlham, Madison County, Iowa, AND Part of the Chicago, Rock Island and Pacific Railroad Company's depot grounds in the Southeast Quarter (¼) of the Southwest Quarter (¼) of Section Six (6), Township Seventy-seven (77) North, Range Twenty-eight (28) West in the Town of Earlham, Madison County, Iowa, more particularly described as follows: Beginning at the point of intersection of the east line of Maple Street with the northerly line of said Railroad Company's depot grounds, said northerly line of depot ground being 150 feet northerly of and parallel with the centerline of the said Railroad Company's main tract; thence southerly 106 feet, more or less, along the east line of Maple Street to a point in a line being 50 feet northerly of and parallel with the centerline of said Railroad Company's main track; thence southeasterly 313 feet, more or less, along last said parallel line to a point in the west line of Cherry Street; thence northerly 106 feet, more or less, along the west line of Cherry Street to a point in the northerly line of said depot grounds, thence northwesterly 313 feet, more or less, along the northerly line of said depot grounds to the point of beginning, EXCEPT, that part of the former Chicago, Rock Island and Pacific Railroad Company's depot grounds, described as follows: Beginning at the southeast corner of said Block 13; thence South 00°00'00" 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 tract; 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°40'12", chord bearing of North 77°58'54" West, and is 50.00 feet radially distant from said main tract centerline; thence North 00°17'13" East 96.04 feet to the southwest corner of Lot 1 of said Block 13; thence South 75°50'29" 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.

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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.

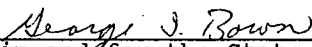
3. The real estate described in that contract included that described above. Title to the real estate which is the subject of this affidavit was as of the date of the execution of the contract in Harris & Sons Construction Co., Inc.

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
9th day of February, 1995.



Notary Public in and for the State of Iowa

