REC \$/O.O.

COMPARED

FILED NO. 138
BOOK 41 PAGE 48

92 JUL 17 PH 3: 43

**AFFIDAVIT** 

STATE OF IOWA )
BOONE COUNTY )

MICHELLE UTSLER RECORDER MADISON COUNTY. 10WA

I, W. K. Doran, being first duly sworn, do depose and state the following:

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- 1. That I am a retired attorney. That during the time that I practiced law, I practiced law in Boone, Iowa in a firm that is now known as Courter, Quinn, Doran & Anderson.
- 2. That in my practice I represented Boone State Bank & Trust Company of Boone, Iowa for many years up until my retirement in 1989.
- 3. That as a part of my representation of Boone State Bank & Trust Company I was very familiar with their loan transactions with Richard Stanley and Mary Ellen Stanley, who owned real estate located in Section Twelve (12), Township Seventy-seven (77) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa.
- 4. That I was aware that the Boone State Bank & Trust Company took two mortgages upon the above described real estate owned by the Stanleys. These mortgages were dated December 16, 1981 and December 28, 1981. These mortgages were recorded respectively in Book 135, Page 279 and Book 135, Page 320 of the records of the Madison County Recorder's Office.
- 5. That in those mortgages there was reference made that these mortgages were subject to a mortgage to John Hancock Insurance Company.
  - 6. That in fact there was no prior mortgage to John Hancock

Insurance Company. Rather the prior mortgage was to Hanseco Insurance Company. That prior mortgage of Hanseco Insurance Company was dated July 16, 1980, and recorded in Book 133, Page 308 of the records of the Madison County Recorder's Office.

7. That in the mortgages held by Boone State Bank & Trust Company, when there is reference to a mortgage to John Hancock Insurance Company, that reference should have been to the mortgage described above held by Hanseco Insurance Company.

8. This Affidavit is being executed based upon my own first-hand knowledge of these transactions.

FURTHER AFFIANT SAITH NOT.

W. K. Doran

Subscribed and sworn to before the undersigned this 15th day of July, 1992.

BEN T. DORAN MY COMMISSION EXPIRES June 14, 1993

Notary Public in and for the State of Iowa