

AFFIDAVIT

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STATE OF IOWA :
: SS
MADISON COUNTY :

Fee \$10.00

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Comes now Dean R. Nelson, who on oath deposes and states as follows:

1.- That I am a practicing attorney in the City of Earlham, Madison County, Iowa, and that I am making this Affidavit in connection with the chain of title to the following described real estate, to-wit:

See Legal Description attached hereto and by this reference incorporated herein.

2.- That I am well and personally acquainted with Donna L. Smith, who owns the above described real estate.

3.- That in connection with the following judgement which appears in the abstract of title to said real property:

Lauretta Sapp vs. Donna Smith, Madison County Clerk of Court, No. 6328 Small Claims, Small Claims Docket 10, Page 6328.

The defendant, Donna Smith, is not the same person as Donna L. Smith, who owns the real estate above described. That only the names are similar and no lien exists in the chain of title.

4.- That the defendant, Donna Smith, named in the above entitled action resided at 309 E. Buchanan Street, Winterset, Iowa. That Donna L. Smith, the owner of the above described real estate has never resided in Winterset, Iowa.

5.- This Affidavit is filed solely for the purpose of setting forth that Donna L. Smith, who is the owner of record of the real estate above described, is not the same person as Donna Smith who is named in the above described action in Small Claims No. 6328.

Further this affiant sayeth not.


Dated this 11th day of February, 1992.



(Dean R. Nelson)

Subscribed and sworn to before me and in my presence by the said Dean R. Nelson this 11th day of February, 1992.





Notary Public in and for the State of Iowa.

COMPARED

LEGAL DESCRIPTION

A parcel of land located in the North Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and in the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Thirteen (13), in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of the Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Thirteen (13), in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa; thence, along the West line of said Section Thirteen (13), North $00^{\circ}00'00''$, 717.35 feet; thence North $89^{\circ}33'07''$ East 367.01 feet; thence North $00^{\circ}00'00''$ 593.48 feet; thence South $89^{\circ}55'06''$ East 938.18 feet to the Northeast Corner of the Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Thirteen (13); thence South $00^{\circ}04'32''$ West 391.36 feet; thence North $89^{\circ}19'13''$ East 398.55 feet; thence North $00^{\circ}55'38''$ East 1027.12 feet; thence South $88^{\circ}34'41''$ East 223.39 feet; thence North $00^{\circ}24'00''$ East 272.75 feet; thence South $89^{\circ}13'07''$ East 225.68 feet; thence North $00^{\circ}04'00''$ West 281.11 feet; thence South $87^{\circ}59'26''$ East 470.85 feet to the East line of the West Half ($\frac{1}{2}$) of said Section Thirteen (13); thence along said East line, South $00^{\circ}27'05''$ West 2481.52 feet to the Southeast Corner of the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Thirteen (13); thence North $89^{\circ}59'59''$ West 2621.38 feet to the Point of Beginning. Said parcel of land contains 91.220 Acres, including 0.377 Acres of County road right of way.