AFFIDAVIT

STATE OF IOWA :
: SS
MADISON COUNTY :

Comes now Samuel H. Braland, who on oath deposes and states as follows:

That this Affidavit is made in connection with the chain of title to the following described real estate, to-wit:

> All that part of the Southeast Quarter (¼) of the Northwest Quarter (¼) of Section Twelve (12) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, which lies North and West of the public highway.

That I was the attorney for the Union State Bank of Winterset, Iowa, who foreclosed three (3) Real Estate Mortgages against the above described property given to the Union State Bank by Dennis H. Jungman and Rita M. Jungman, husband and wife, and recorded in Book 120, Page 625; Book 121, Page 206; and Book 132, Page 542, all in the Office of the Recordezr of Madison County, Iowa.

I further state that the action to foreclose all three (3) Real Estate Mortgages was commenced on behalf of the Union State Bank on October 18, 1983, by the filing of a Petition bearing Equity No. 22450, in the Office of the Clerk of the District Court of Madison County, Iowa. I further state that subsequent to the filing of said Petition, Dennis H. Jungman and Rita M. Jungman filed a voluntary Petition for bankruptcy in the United States Bankruptcy Court for the Southern District Of Iowa. Thereafter, in light of the automatic stay under 11 U.S.C. §362, no further action was taken by the Union State Bank in connection with the mortgage foreclosure proceedings commenced on October 18, 1983, until June 18, 1984, after Dennis H. Jungman and Rita M. Jungman had received a discharge in bankruptcy on February 15, 1984. Inasmuch as the discharge terminated the automatic stay under 11 U.S.C. §362 by operation of law, said automatic stay was not enforced at the time the Union State Bank obtained a decree, dated June 18, 1984, foreclosing the three (3) mortgages referenced herein, as well as a decree nunc pro tunc, dated July 30, 1984.

Further, this Affiant sayeth not.

(Samuel H. Braland)

Subscribed and sworn to before me and in my presence by the said Samuel H. Braland this 3rd day of December, 1985.

Notary Public in and for the State of Iowa.

R. NELSON NOTARIAL SEAL

Compared

1136

FILED NO.
BOOK 35 PAGE 756

1985 DEC -3 PM 3:41

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee $5.00