



Document 2014 2446

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Fee Amount: \$12.00

Revenue Tax:

LISA SMITH RECORDER

Madison County, Iowa

INDX

ANNO

SCAN

CHEK

Prepared by and return to: Adam C. Van Dike, 666 Grand Avenue, Suite 2000, Des Moines, IA 50309 Telephone: (515) 242-2400

AFFIDAVIT EXPLANTORY OF TITLE

The undersigned, as Vice President of Lyelca of Warren Co. (the "Company"), being first duly sworn, deposes and states as follows:

1. I have personal knowledge of the facts stated herein.

2. I am familiar with title to certain real estate located in Madison County, Iowa, more particularly described as:

The West Half (1/2) of the Southwest Quarter (1/4) and the North 54 Acres of the East Half (1/2) of the Southwest Quarter (1/4) of Section Twenty-six (26), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa (the "Real Estate").

3. The Company, acquired title to the Real Estate from Ivan Archer, a/k/a Ivan W. Archer and Linda S. Archer by Warranty Deed dated and recorded November 13, 1995, in Book 135, Page 221.

4. A Memorandum of Lease (the "Lease") between Terry L. Waddingham and Carla Waddingham and Iowa Wireless Services, LLC, d/b/a i wireless dated February 22, 2005, was recorded August 16, 2005, in Book 2005, Page 3932.

5. The legal description set forth in the Lease appears to incorrectly include a portion of the Real Estate.

6. At no time did Terry L. Waddingham, Carla Waddingham or Iowa Wireless Services, LLC, d/b/a i wireless have any interest in record title to the Real Estate, and therefore, were not entitled to encumber the Real Estate by virtue of the Lease.

7. This Affidavit is given as an affidavit explanatory of title pursuant to Iowa Code Section 558.8 (2013) for the Real Estate.

Date: Sept. 29, 2014

LYELCA OF WARREN CO.

