FILED NO. 885
BOOK 34 PAGE 723

1983 NOV -9 AM 8:57

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $3.00

A F F I D A V I T

STATE OF IOWA :
: SS
MADISON COUNTY :

Comes now Samuel H. Braland, who on oath deposes and states: That in connection with the following described real estate, to-wit:

> The Southeast Quarter (¼) of Section Twenty-nine (29), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, excepting therefrom the following described tract of land: Commencing at a point 1017.07 feet North of the Southeast corner of said Section Twenty-nine (29), thence continuing North 622.29 feet, thence West 210 feet, thence South 622.29 feet, thence East 210 feet to the Point of Beginning, containing 3 acres, more or less, including public road; and also excepting therefrom the following described tract of land: Commencing at the South Quarter (¼) corner of said Section Twenty-nine (29), thence North 388.95 feet, thence North 89°51'42" East 335.98 feet, thence South 388.95 feet to the South line of the Southwest Quarter (¼) of the Southeast Quarter (¼), thence along said South line South 89°51'42" West 335.98 feet to the Point of Beginning, containing 3 acres, more or less, including public road.

1.- I was the attorney who prepared the Notice Of Forfeiture Of Real Estate Contract for the Union State Bank, an Iowa Corporation, which is recorded in Deed Record 117, Page 244, Madison County Recorder's Office. A scrivenor's error was made in said Notice Of Forfeiture in that Lilbert Pettit was identified as the "Vendor" and Larry W. Goetz and Patricia L. Goetz, husband and wife, were identified as the "Vendees" under a written contract dated January 26, 1976, and recorded in Deed Record 105, Page 391, Madison County Recorder's Office, when in fact Lilbert Pettit was the "Vendee", and Larry W. Goetz and Patricia L. Goetz, husband and wife, were the "Vendors". On February 11, 1983, Larry W. Goetz and Patricia L. Goetz, husband and wife, assigned and conveyed to the Union State Bank all their right, title and interest in said Real Estate Contract, said conveyance being recorded in Deed Record 116, Page 420, and said Assignment being recorded in Deed Record 117, Page 243, Madison County Recorder's Office.

2.- On October 14, 1982, Larry W. Goetz and Patricia L. Goetz as Plaintiffs filed a cause of action identified as Equity No. 22296 in the Iowa District Court For Madison County in Appearance Docket 14, Page 255. Said cause of action was assigned by the Plaintiffs to the Union State Bank on February 11, 1983, and filed in said cause on September 14, 1983. On September 15, 1983, a dismissal of said cause was filed by the Union State Bank as Assignee-Plaintiff.

Further, this Affiant sayeth not.

Samuel H. Braland
(Samuel H. Braland)

Subscribed and sworn to before me by the said Samuel H. Braland this 7th day of November, 1983.

MARY ANN ... Iowa (SEAL) NOTARIAL ...

Mary Ann Peer
Notary Public in and for the State of Iowa.