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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Preparer
Information Mark L. Smith, P.O. Box 230, Winterset, Iowa 50273; 515-462-3731

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA :
 :ss
MADISON COUNTY :

I, Mark L. Smith, after first being duly sworn upon oath, depose and state as follows:

- 1. This Affidavit Explanatory of Title concerns the following described real property:

Parcel "H" of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 20, Township 76 North, Range 27 West of 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed March 22, 2018, in Book 2018, Page 872 of the Madison County Recorder's Office.

2. I am an Attorney practicing in Madison County, Iowa, and I drafted the Amended and Substituted Contract between Timothy Mohs and Jacque Mohs, husband and wife, Sellers and Angela Haskell, Buyer, dated May 20, 2018, and filed June 1, 2018, in Book 2018, Page 1737 of the Recorder's Office of Madison County, Iowa.

3. Within that Contract it states that Angela Haskell shall be granted a first right of refusal to purchase the real estate described in this Affidavit, if said property is not sold together with **Lot Twenty-three (23) of Copper Fox Estates Subdivision located in the East Half (1/2) of the Southeast Quarter (1/4) of Section Seventeen (17), in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.**

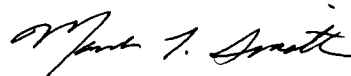
4. If said property is sold together with **Lot Twenty-three (23) of Copper Fox Estates Subdivision located in the East Half (1/2) of the Southeast Quarter (1/4) of Section Seventeen (17), in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;** there shall be no right of first refusal.

5. Within the Contract it also states that Angela Haskell shall grant a 25-foot wide strip of land for an access easement to the real estate described in this Affidavit, if said property is sold to a 3rd party for access to and from Nature Trail.

6. I know of my own personal knowledge that the real estate described in this Affidavit is being sold together with **Lot Twenty-three (23) of Copper Fox Estates Subdivision located in the East Half (1/2) of the Southeast Quarter (1/4) of Section Seventeen (17), in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;** and the purchasers of each are one and the same people, namely Rick D. Clarke and Charity A. Clarke, husband and wife.


7. Therefore, pursuant to the Contract there is no right of first refusal and there is no easement being granted.

8. I give this Affidavit to clear any perceived cloud on the title to the real estate described in this Affidavit.



Mark L. Smith

Subscribed and sworn to before me by the said Mark L. Smith on this 15 day of June, 2018.


Notary Public in and for the State of Iowa