

Recorded: 11/3/2021 at 9:47:16.0 AM
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$20.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2021 PG: 3865

Prepared by: Larry L. Anfinson, Anfinson & Luce, P.L.C., 726 W. 4th Street, Waterloo, IA 50702 (319) 235-9507
After recording, return to: Hertz Farm Management, P.O. Box 1105, Cedar Falls, IA 50613

**AFFIDAVIT OF IDENTITY AND
EXPLANATORY OF TITLE**

STATE OF IOWA)
) ss.
COUNTY OF CLAYTON)

I, Timothy T. Schloss, being first duly sworn, do depose and state on oath as follows:

1. That I am an attorney licensed to practice law in the state of Iowa.
2. That I prepared a Durable General Power of Attorney dated June 30, 2011, which was filed for record on March 11, 2016, in Book 2016, Page 607, in the Delaware County Recorder's Office, in which Jacob J. Hotz appointed James A. Hotz as his initial Power of Attorney.
3. That the correct name for James A. Hotz is James E. Hotz, and the indication that his middle initial was "A." was a typographical error. Any reference to James A. Hotz is to one and the same person as James E. Hotz.
4. That I prepared a Warranty Deed, dated March 4, 2016, and filed for record on March 11, 2016, in Book 2016, Page 608, which Warranty Deed had Jacob J. Hotz, single, as the Grantor, and which conveyed certain real estate legally-described as follows:

See attached Exhibit "A"

to James E. Hotz.
5. That this Warranty Deed was executed by John Hotz, as Power of Attorney for Jacob J. Hotz.
6. As indicated above, the Power of Attorney executed by Jacob J. Hotz initially appointed James A. Hotz (actually James E. Hotz as stated above) as his Power of Attorney, but

also indicated that John Hotz would be the successor Power of Attorney in case James A. Hotz was unable to serve for any reason.

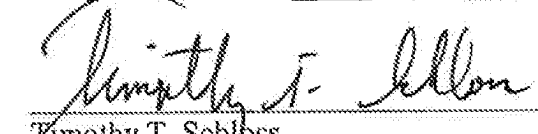
7. That since the conveyance in the above-reference Warranty Deed was to James E. Hotz, in order to avoid a potential conflict of interest, John Hotz executed said Warranty Deed as the Power of Attorney for said Jacob J. Hotz.

8. That I prepared three Correction Warranty Deeds all dated May 15, 2017, and filed for record on May 19, 2017, in Book 2017, Pages 1406, 1407 and 1408, which Correction Warranty Deeds conveyed the same real estate as stated on Exhibit "A".

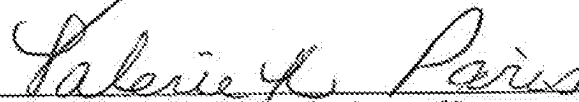
9. That these Correction Warranty Deeds did not indicate the marital status of the Grantors.

10. That John J. Hotz, a/k/a John Hotz, and Kathy Hotz, were husband and wife, James E. Hotz and Cheryl Hotz, were husband and wife, and Joseph P. Hotz was a single person on the date of the execution and filing of said Correction Warranty Deeds.

Dated at Strawberry Point, Clayton County, Iowa, on this 27th day of October, 2021.


Timothy T. Schloss

Subscribed and sworn to before me this 27th day of October, 2021.


Notary Public in and for the State of Iowa

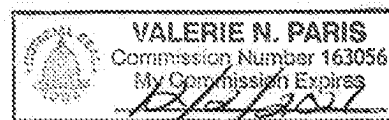


EXHIBIT "A"

The North one-half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$), and the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty Six (36), Township Eighty Seven (87) North, Range Six (6), West of the Fifth Principal Meridian,

And

The East one-half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) and the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) and the South one-half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty Six (36), Township Eighty Seven (87) North, Range Six (6), West of the Fifth P.M., except that part conveyed to the State of Iowa by Warranty Deed recorded in Book 96 L.D., Page 108, and also except Lot One (1) in the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}NE\frac{1}{4}$) of Section 36, Township 87 North, Range 6 West of the 5th Principal Meridian, Delaware County, Iowa, according to the plat recorded in Book 5 Plats, Page 162.