



Document 2026 1062

Book 2026 Page 1062 Type 06 009 Pages 2  
Date 4/17/2026 Time 8:05:45AM  
Rec Amt \$12.00

BRANDY MACUMBER, COUNTY RECORDER  
MADISON COUNTY IOWA

Prepared By: Mark L. Smith, POB 230, Winterset, IA 50273 Telephone No.: 515-462-3731  
Return To: Trevor J. Heimbaugh, POB 230, Winterset, IA 50273

**AFFIDAVIT EXPLANATORY OF TITLE**

STATE OF IOWA :  
 :SS  
COUNTY OF MADISON :

I, Mark L. Smith, a practicing attorney in Winterset, Madison County, Iowa, after first being duly sworn upon oath, depose and state as follows:

1. This is an Affidavit Explanatory of Title to the following-described real property:

**A tract of land located in the Northeast Quarter (¼) of the Northeast Quarter (¼) and in the North Half (½) of the South Half (½) of the Northeast Quarter (¼) of Section Twenty-eight (28), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 22.2990 acres, as shown in Plat of Survey filed in Book 107, Page 388 on February 10, 1978 in the Office of the Recorder of Madison County, Iowa.**

2. I prepared the Real Estate Contract to the property dated September 22, 2025, and filed April 15, 2026, in Book 2026, Page 1043 of Madison County, Iowa, Recorder’s Office between Timothy E. Owens and Parker Tracy and Emiliagh Tracy.

3. I know of my own personal knowledge that said Real Estate Contract contained an omission in the legal description to the one-half interest that was being sold.

4. The true and correct legal description for the property is:

**An undivided One-half interest in:**

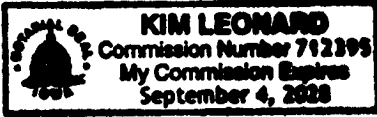
A tract of land located in the Northeast Quarter (1/4) of the Northeast Quarter (1/4) and in the North Half (1/2) of the South Half (1/2) of the Northeast Quarter (1/4) of Section Twenty-eight (28), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 22.2990 acres, as shown in Plat of Survey filed in Book 107, Page 388 on February 10, 1978 in the Office of the Recorder of Madison County, Iowa.

5. I give this Affidavit to clear any title defect that may have been created by said omission.

*Mark L. Smith*

Mark L. Smith

*April* Subscribed and sworn to before me by the said Mark L. Smith on this 16 day of \_\_\_\_\_, 2026.



*Kim Leonard*

Notary Public in and for the State of Iowa