



Document 2016 1291

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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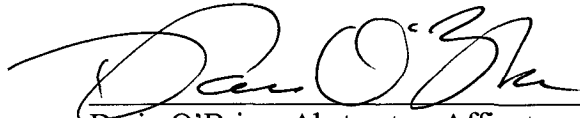
AFFIDAVIT

I, Darin O'Brien, Abstractor, Madison County Abstract Company, being first duly sworn on oath, depose and state as follows:

Re: Parcel "H", a part of Parcel "G", located in the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Eleven (11) and in the Northwest Quarter (¼) of the Southwest Quarter (¼) of Section Twelve (12), ALL in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 21.06 acres, as shown in Plat of Survey filed in Book 2016, Page 1038 on April 22, 2016, in the Office of the Recorder of Madison County, Iowa.

1. In the chain of title for the above described property appears a Warranty Deed from E. Nelson Howell and Miriam E. Howell, Husband and Wife to Madison County Historical Society, Inc. Said Warranty Deed was filed on May 25, 1979 in Book 109, Page 27 in the Office of the Recorder of Madison County, Iowa. Said Deed conveys the following described land: Commencing at a point on the West line of the Southwest Quarter (¼) of Section Twelve (12), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., 46 rods and 12 links South of the Northwest corner of said quarter section, thence East 13 rods, thence South 12 rods 7 2/3 links, thence West 13 rods, thence North 12 rods 7 2/3 links to the point of beginning.
2. In the chain of title for the above described property appears a Quit Claim Deed from Madison County Historical Society, Inc. to E. Nelson Howell and Miriam E. Howell. Said Quit Claim Deed was filed on March 30, 1992 in Book 129, Page 667 in the Office of the Recorder of Madison County, Iowa. Said Deed conveys the following described land: Commencing at a point on the West line of the Southwest Quarter (¼) of Section Twelve (12), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., 46 rods and 12 links South of the Northwest corner of said quarter section, thence East 13 rods, thence South 12 rods 7 2/3 links, thence West 13 rods, thence North 12 rods 7 2/3 links to the point of beginning.
3. Said tract of land described in #1 and #2 above was used for a schoolhouse structure, as described in Warranty Deed filed in Book 109, Page 27, and appears to contain approximately 1 acre.
4. Said 1 acre tract of land appears to be part of the chain of title for Parcel "H" described above. However, the chain of title for said 1 acre tract of land pre-dates the Root Deed for said Parcel "H" described above, per the Root of Title Abstract prepared by Madison County Abstract Company and certified on April 22, 2016 at 4:09 P.M.
5. I hereby certify that we find no Deed or other conveyance to E. Nelson Howell and Miriam E. Howell filed of record in the Office of the Recorder of Madison County, Iowa that specifically conveys said 1 acre tract.
6. I further certify that the only Deed to E. Nelson Howell and Miriam E. Howell filed of record in the Office of the Recorder of Madison County, Iowa for land in said Section 12-T75N-R28W of the 5th P.M., Madison County, Iowa was filed in Book 120, Page 509 and conveys the following-described real estate: The West Half (½) of the Southwest Quarter (¼) of Section 12-T75N-R28W of the 5th P.M., Madison County, Iowa, EXCEPT that part thereof lying and being North and West of the public highway (commonly known as Afton Road) and containing 10 acres, more or less.
7. The said Deed filed in Book 120, Page 509, appears to include PART of the said 1 acre tract used for schoolhouse purposes. Said Deed filed in Book 120, Page 509 does NOT include any part of the said Parcel "H" described above.
8. Based on the above facts, it is the opinion of this abstractor that E. Nelson Howell and Miriam E. Howell and no right, title or interest in that part of the 1 acre tract included in the said Parcel "H" when they conveyed said 1 acre tract

in Warranty Deed filed in Book 109, Page 27, nor does it appear that E. Nelson Howell and Miriam E. Howell have ever had an interest in that part of the 1 acre tract included in said Parcel "H".


Darin O'Brien, Abstractor, Affiant
Madison County Abstract Company

Signed and sworn to (or affirmed) before me on May 15, 2016, by Darin O'Brien.

