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PATRICK F GILL. AUDITOR AND RECORDER WOODBURY COUNTY IOWA

Prepared by: Amber Hegarty, 405 6th Street, #511, P.O. Box 447 Sioux City, IA 51102 Phone: (712) 279-6318 Return to: Angie Schneiderman, 501 Pierce St. #300, P.O. Box 3207 Sioux City, IA 51102 Phone: (712) 252-0020

AFFIDAVIT EXPLANATORY OF TITLE

Legal Description: Lots 1, 2, 6, 7, 8, 9, 10, 11 and 12, in Block 3, of Sioux City East Addition, in the County of Woodbury and State of Iowa.

STATE OF IOWA)
) ss.
COUNTY OF WOODBURY)

- I, Amber Hegarty, being first duly sworn under oath, state of my personal knowledge:
- 1. I am an attorney for the City of Sioux City, 405 6th Street, P.O. Box 447, Sioux City, Iowa, 51102.
- 2. That I have personal knowledge of the proceedings which resulted in the passage and subsequent filing of a Development Agreement by and among the City of Sioux City, Iowa, 413 Pierce Street, LLC, Motor Mart, LLC and Historic Hospital, LLC executed on December 18, 2017 and recorded first in Roll 756 at Images 5493-5642 on December 20, 2017 and recorded a second time in Roll 756 Image 8083-8231 and Minimum Assessment Agreement executed on December 18, 2017, and recorded first in Roll 756-Image 5463 and recorded a second time in Roll 756-8069
- 3. That the legal description used in the aforementioned Development Agreement and Assessment Agreement, errantly included a portion of the above referenced legal description, specifically, Lots 6, 7 and 8, in Block 3, of Sioux City East Addition, in the County of Woodbury and State of Iowa.
- On February 20, 2018, a First Amendment to the Development Agreement and Minimum Assessment Agreement referenced in Paragraphs 2 and 3 above, was filed

for the purpose of removing reference to Lots 6, 7 and 8, in Block 3, of Sioux City East Addition property and was recorded in Roll 757, Image 3689-3698. This First Amendment incorrectly referenced only the second recording of the Development Agreement and Minimum Assessment Agreement.

5. That it was the intent of the City Council for the City of Sioux City that the First Amendment was to be applicable to both the first and second recording of the Development Agreement and Minimum Assessment Agreement and it was an error in the First Amendment to only reference the second filing.

Subscribed and sworn to before me by Amber Hegarty this day of October 2018.

Jennifer Albert Commission Number 749454 My Commission Expires