IOWA STATE BAR ASSOCIATION
Official Form No. 27B. [Long Form]

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN:

STATE OF IOWA }
DELAWARE COUNTY } ss.

The undersigned first being duly sworn (or affirmed) upon oath deposes and states:

That Chris E. Manternach and Sharon A. Manternach

are now the record titleholders of the following described real estate, situated in Delaware County, Iowa, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

That said Chris E. Manternach and Sharon A. Manternach are now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1970, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by any one. That this affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders and its parties in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Section 614.17, Code of Iowa, and other statutes relative thereto.

Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Dated this 1st day of February, 19~~89~~ 90

Herman J. Welter by Roman Welter

Herman J. Welter, by Roman Welter, Attorney in Fact, Affiant

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STATE OF IOWA, Jones COUNTY, ss:

On this 1st day of February, 1990, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roman Welter, to me known to be the person who executed the foregoing instrument in behalf of Herman J. Welter, and acknowledged that (he) (~~she~~) executed the same as the voluntary act and deed of said Herman J. Welter

T.J. Thornton, Notary Public in and for said State.

(Section 558.39, Code of Iowa)

IOWA STATE BAR ASSOCIATION
Official Form No. 174 (Trade-Mark Registered, State of Iowa, 1967)
This Printing January, 1986

Acknowledgement: For use in the case of natural persons acting by attorney

FILE No. 309-1845
RECORDING FEE $ 20.00
TRANSFER FEE $

FILED FOR RECORD THE 20 DAY OF February, 19 90 AT 11:14 O'CLOCK A. M. BOOK 16 PAGE 142

STATE OF IOWA, DELAWARE COUNTY
Joan Sheppard, Recorder
Aff.

● POWER OF ATTORNEY

The undersigned, owner in possession of said property as above stated, hereby directs that this affidavit be filed of record and hereby appoints the County Recorder of the County wherein said land is situated as the authorized attorney in fact to file same.

If the Power of Attorney is granted by a Corporation attach corporate acknowledgment (Official Form No. 12).

x Chris E Manternach

Chris E. Manternach, Owner in Possession

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 13th day of February, 19~~89~~ 90, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Chris E. Manternach, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Thomas J. Hansen, Notary Public in and for the State of Iowa

● The use of the Power of Attorney with acknowledgment is optional and may be omitted if the affidavit is filed by the owner in possession as named in the affidavit.

MARGINAL ENTRY

STATE OF IOWA, COUNTY OF DELAWARE, ss:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit was filed in the said Recorder's Office by the owner in possession as named in said affidavit or by his attorney in fact as shown by the records; and duly recorded and entered on the records thereon on the 20 day of February, 19~~89~~ 90.

Joan Sheppard

Joan Sheppard

FILE No. 309-1845
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STATE OF IOWA, DELAWARE COUNTY
Joan Sheppard, Recorder
Aff.

EXHIBIT "A"

Lots Nine (9) to Twenty-four (24) inclusive, Lots Thirty-five (35) to Ninety-two (92) inclusive and Lots Ninety-seven (97) to One Hundred Twenty-eight (128) inclusive, Colony Addition to Sand Springs, Iowa, the same being a part of the Southeast Quarter (SE 1/4) of Northeast Quarter (NE 1/4) of Section Twenty-eight (28); also Southwest Quarter (SW 1/4) of Northeast Quarter (NE 1/4) of Section Twenty-eight (28), Township Eighty-seven (87), North, Range Three (3), West of the Fifth P.M.

AND

The East One-Half (E 1/2) of the Northeast Quarter (NE 1//4) of Section 27, except so much thereof as is used for cemetery purposes and described as - Commencing at a stone set in the ground 6.16 chains North and 2.93 chains West of the Quarter Section corner between Sections 26 and 27, thence West 6 chains to a stone, thence North 6 2/3 chains to a stone, thence East 6 chains to a stone, thence South 6 2/3 chains to place of beginning. Also the Southwest Quarter (SW 1/4) of the Northeast Quarter of said Section 27, and all that part of the following described Lots, 102, 103, 104, 105, 106, 107, 108, 109 and 110, and Lots 132 and 133, and Park Square, Sand Springs, Iowa, contained within the following described piece of land: - Commencing at a point on the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 27, 458 feet and 6 inches West of the Southeast corner of the said Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4), thence West along said South line 254 feet, thence Southerly to the North line of the public road as now established 457 feet, thence East long the North side of said public road 253 feet and 6 inches thence Northerly 526 feet to place of beginning, all of the above described real estate being in Township 87 North, Range 3 West of the Fifth P.M.; also that part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 87 North, Range 3 West of the Fifth P.M., formerly embraced in the following Lots, namely; Lots One (1) to Twenty-six (26) inclusive, Thirty (30) to Seventy-two (72) inclusive, 111 to 128 inclusive, 172 to 180 inclusive, 183 to 188 inclusive

Lots 244 to 247, and streets and alleys and that portion of streets and alleys adjoining said Lots which was vacated by decree of the District Court of Delaware County, Iowa, or which by virtue of law or prescriptive rights became vacated, and all streets and alleys adjoining said lots, or any of them, which would or might revert to the owners thereof on the vacation of said lots or the plat thereof; same being a part of the South One-Half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 27, Township 87 North, Range 3 West of the Fifth P.M.; containing in all 150 3/4 acres, more or less

AND

Vacated Lots One Hundred and Twenty-nine (129), One Hundred and Thirty (130), One Hundred and Thirty-One (131), One Hundred and Sixty-nine (169), One Hundred and Seventy (170), One Hundred and Seventy-One (171), One Hundred and Eighty-Nine (189), One Hundred and Ninety (190), One Hundred and Ninety-one (191), One Hundred and Ninety-two (192), Two Hundred and Thirty-eight (238), Two Hundred and Thirty-Nine (239), Two Hundred and Forty (240), Two Hundred Forty One (241), Two Hundred Forty Two (242) and Two Hundred Forty Three (243) all in the Village of Sand Springs, South Fork Township, Delaware County, Iowa,

AND

East One-Half (E 1/2) of Lots One Hundred Eighty-One (181), One Hundred Eighty-two (182), all in Sand Springs, Iowa; also Lots Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), all in Colony Addition to Sand Springs, Iowa,

MOSS & HEIMS
LAW OFFICES
YERSVILLE. IOWA
52040

AND

All that part of Lots 33 and 34 in Colony Addition, Sand Springs, Iowa, according to the recorded plat thereof, that lies west of Highway #38 that was not conveyed to the State of Iowa for road purposes.

MOSS & HEIMS
LAW OFFICES
DYERSVILLE, IOWA
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