THE IOWA STATE BAR ASSOCIATION
Official Form No. 154

005563

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

ATI Title Co.
1524 12th St. N.E.
Cedar Rapids, IA
52403

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 as shown by the records.

Deborah L. Peyton Recorder
DEBORAH L. PEYTON

2241-3404
DELAWARE COUNTY, IOWA
FILED
96 MAY 31 AM 10 37
DEBORAH L. PEYTON
RECORDER
$9.00
18 288

Preparer Information: David C. Tracey (Individual's Name) | 105 N. Franklin St. (Street Address) | Manchester (City) | 319/927-4925 (Phone)

SPACE ABOVE THIS LINE FOR RECORDER

AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN: STATE OF IOWA, DELAWARE COUNTY, ss:

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

That Timothy L. Michels and Kimberly S. Michels, Husband and Wife,

are now the record titleholders of the following described real estate situated in Delaware County, to-wit: Lot 23 of "Clair-View Acres at Delhi, Iowa" in Sections 23 & 26, Milo Twp, Delaware County, Iowa, according to plat thereof recorded in Book 2 Plats, Page 200; same being a part of the NW¼ of the NE¼ of Section 26, Township 88 N, Range 5, West of the 5th P.M.; including all of our right, title and interest in and to the following described real estate, to-wit: All that land lying westerly and northwesterly of Lot 23 in "Clair-View Acres at Delhi, Iowa" within the extensions of the southwesterly and northwesterly sides of said Lot, which is part of that property described in Book 96, Page 176, in the office of the County Recorder of Delaware County, Iowa, on Oct. 3, 1974 - extending into Lake and to the center of Maquoketa River, this land last above described being subject to the existing flood plain rights & Grantee shall hold the Grantors harmless in regard to flooding of the property concerned.

That said Timothy L. Michels and Kimberly S. Michels, are now in complete actual and sole possession of all of said real estate except as may be herein stated. 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 21st day of May, 19 96.

Jill Mack
Jill Mack, Affiant

Subscribed in my presence and sworn to (affirmed) before me by the said affiant this 21st day of May, 19 96.

Barbara J. Short
Barbara J. Short, Notary Public in and for the State of Iowa

BARBARA J. SHORT
My Comm. Exp. 3-9-97

Please type or print names under signatures as per Code Section 335.2

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.

Timothy L. Michels
Timothy L. Michels, Owner in Possession

Kimberly S. Michels
Kimberly S. Michels, Owner in Possession

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

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 21st day of May, 19 96, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Timothy L. Michels & Kimberly S. Michels, 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.

IOWA NOTARIAL SEAL

Diane K. Mitchell
Diane K. Mitchell, Notary Public in and for the State of Iowa

Commission expires 1-16-97

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.

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