DELAWARE COUNTY, IOWA
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BOOK 1999 PAGE 2042
DEBORAH L. PETTON
DELAWARE CO. RECORDER
$ 11.00

Preparer Information (X) TOM JENK, 225-1ST AVE E, PO BOX 304, DYERSVILLE IA 52040-0304, (319) 875-9112
Individual's Name | Street Address | City | Phone

TOM JENK ISBA # 02673

SPACE ABOVE THIS LINE FOR RECORDER

AFFIDAVIT OF POSSESSION

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

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

That TEGELER SAND, INC., an Iowa Corporation are now the record titleholders of the following described real estate situated in DELAWARE County, to-wit:

PARCEL D PART OF THE N 1/2 OF THE NORTHEAST QUARTER (NE 1/4) AND PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4), SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF DYERSVILLE, DELAWARE COUNTY, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 1999, PAGE 1624

That said TEGELER SAND, INC., an Iowa Corporation 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 Sections 614.17 and 614.17A, Code of Iowa, and other statutes relative thereto.

This Affidavit is signed by the undersigned owners of said property per the individuals who had possession of said property since Warranty Deed dated August 28, 1978, filed for record on October 27, 1978, and recorded in the Delaware County Recorder's Office in Book 104, L.D., Page 246.

Dated this 8th day of June 1999.

TEGELER SAND, INC.

By: Earl J. Tegeler
Earl J. Tegeler, Affiant

By: Herbert G. Tegeler
Herbert G. Tegeler, Affiant

KARLA KLUESNER
NOTARIAL SEAL
IOWA

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 8th day of June 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Earl J. Tegeler and Herbert G. Tegeler, to me personally known, who being by me duly sworn, did say that they are the President and Vice President, respectively, of said corporation; that no seal has been procured by the said corporation; that said instrument was signed on behalf of said corporation by authority of its board of Directors; and that the said Earl J. Tegeler and Herbert G. Tegeler as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Karla Kluesner
Notary Public in and for the State of Iowa

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.

TEGELER SAND, INC.

By: Earl J. Tegeler
Earl J. Tegeler, President, Owner in Possession

By: Herbert G. Tegeler
Herbert G. Tegeler, V.P., Owner in Possession

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 8th day of June 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Earl J. Tegeler and Herbert G. Tegeler, to me personally known, who being by me duly sworn, did say that they are the President and Vice President, respectively, of said corporation; that no seal has been procured by the said corporation; that said instrument was signed on behalf of said corporation by authority of its board of Directors; and that the said Earl J. Tegeler and Herbert G. Tegeler as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Karla Klueener
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.

The undersigned Recorder hereby certifies that the foregoing affidavit was filed in the Recorder's Office by the owner in possession as named in the affidavit or by the attorney-in-fact as shown by the records, and duly recorded and entered on the records on the _____ day of _____, 19 _____

_____

_____, Recorder