THE IOWA STATE BAR ASSOCIATION
Official Form No. 154

John C. Compton ISBA # 0000995

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2003 OCT -2 AM 11:1
DELAWARE COUNTY, IOWA
FILED
BOOK 2003 PAGE 4770
DEROTHA L. PEYTON
DELAWARE COUNTY RECORDER
10.00

Preparer Information John C. Compton, 116½ W. Mission St. PO Box 8, Strawberry Point, (563) 933-4334
Individual's Name | Street Address | City | 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 Robert J. Philipp and Marian D. Philipp, husband and wife

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

Lots Seven (7), Eight (8), Nine (9), Ten (10), and the North One-half (N½) of Lots Eleven (11) and Twelve (12), all in Block Seven (7), F. A. Densmore's Second Addition to Edgewood, Iowa, according to Plat recorded in Book 1, Plats, Page 113.

*See attached Exhibit "A" which is incorporated into and made a part of this Affidavit.

That said Robert J. Philipp and Marian D. Philipp, husband and wife 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.

Dated this 17 day of September 2003.

Bert Elledge
Bert Elledge, Affiant

Subscribed in my presence and sworn to (affirmed) before me by the said affiant this 17 day of September, 2003.

Roger P Boge
Roger P. Boge, Notary Public

Roger P. Boge
Commission No. 176261
My Commission Expires 10-3-2006

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.

Robert J. Philipp
Robert J. Philipp, Owner in Possession

Marian D. Philipp
Marian D. Philipp, Owner in Possession

If the Power of Attorney is granted by other than individuals attach appropriate acknowledgment.

STATE OF IOWA, COUNTY OF Delaware

This instrument was acknowledged before me on September 22, 2003 by Robert J. Philipp and Marian D. Philipp.

Roger P Boge
Roger P. Boge, Notary Public

Roger P. Boge
Commission No. 176261
My Commission Expires 10-3-2006

● 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 2nd day of OCTOBER, 2003.

Deborah L. Peyton
DEBORAH L. PEYTON, Recorder

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EXHIBIT "A"

The Affiant further states that the record chain of title herein makes reference to certain of the heirs of Herbert T. Burgin, who died October 30, 1954, specifically his brother Jesse R. Burgin and his sisters Ida Stevens and Alta Holroyd who were named as beneficiaries under the Last Will and Testament of said Herbert T. Burgin

The undersigned states that Jesse R. Burgin, Ida Stevens and Alta Holroyd each and all died more than five (5) years ago and that due diligence to the records of Clayton and Delaware Counties reveal no administration of the estates of any of said three beneficiaries.