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Document 2005 892 Type 06 10 Pages 2
Date 3/16/2005 Time 10:54 AM
Rec Amt $12.00

DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by and return to: Lloyd, McConnell & Davis, L.L.P., P.O. Box 867, Washington, IA 52353 Ph:(319)653-5431
Address Tax Statements: Robert L. Gates, c/o Larry Sheppard, 2868 190th Avenue, Manchester, IA 52057

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 I, Robert L. Gates, is now the record titleholders of the following described real estate in Delaware County, to-wit:

All that part of the South three-fourths (S¾) of Section Twenty Four (24), Township Eighty Seven (87) North, Range Four (4), West of the Fifth Principal Meridian; lying South and East of a line described as commencing at the Northeast corner of the South one-half (S½) of the Northeast Quarter (NE¼) of said Section Twenty Four (24), running thence West two thousand three hundred twenty two (2,322.0) feet, thence South 27°15' West six hundred thirty seven (637.0) feet, thence South 67° 30' West nine hundred seventy one (971.0) feet to a point in the center of the Wild Cat and Table Rock Road as laid out and traveled, thence Southerly along the center of said road to the South line of said Section Twenty Four (24); all in Township Eighty Seven (87) North, Range Four (4) West of the Fifth Principal Meridian, in Delaware County, Iowa.

That said Robert L. Gates is 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 16th day of March, 2005.

Robert L. Gates
By Larry K Sheppard Attorney-in-fact
Larry K. Sheppard, attorney-in-fact for Robert L. Gates, Affiant

On this 16th day of March, 2005, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Larry K. Sheppard, to me known to be the person who executed the foregoing instrument in behalf of Robert L. Gates, and acknowledged that he executed the same as the voluntary act and deed of said Robert L. Gates.

NOTARIAL SEAL IOWA
Rosemary Drees
COMMISSION NUMBER 144070
My Commission Expires
7/30/05

Rosemary Drees
Notary Public in and for said State

●POWER OF ATTORNEY

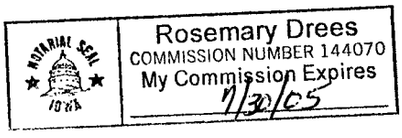
The undersigned, owner in possession of said property as above stated, hereby directs that this affidavit be filed of record and hereby appoints the County Recorder of the County wherein said land is situated as the authorized attorney in fact to file same.

By Larry K Sheppard Attorney-in-fact.
Larry K. Sheppard, attorney-in-fact for Robert L. Gates, who is the Owner in Possession

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

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 16th day of March, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Larry K. Sheppard to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Rosemary Drees
Notary Public in 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 _____ day of _____ _____, 2005.

_____
Recorder

JLM:wjl 03/10/05
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