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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

AFFIDAVIT OF POSSESSION

THE IOWA STATE BAR ASSOCIATION
Official Form No. 154
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)
(X) William A. Conzett, 491 W. 4th St., Dubuque, IA 52001 Phone: (563) 556-8552

Taxpayer Information: (Name and complete address)
Brice A. Lubben and Nancy J. Lubben
2163 275th Street
Delhi, Iowa 52223

Return Document To: (Name and complete address)
Brice Lubben and Nancy Lubben
2163 275th Street
Delhi, Iowa 52223

Grantors:
BRICE A. LUBBEN

Grantees:
Brice A. Lubben
Nancy J. Lubben

Legal description: See Page 2

Document or instrument number of previously recorded documents:

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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 BRICE A. LUBBEN and NANCY J. LUBBEN, husband and wife

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

The Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), and the West one-half (W½) of the Southeast Quarter (SE¼), and the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), except seven (7) acres off the West side thereof, and also except that parcel described as commencing sixty six (66) rods West of the center of Section Thirty Six (36), thence running North thirteen (13) rods, thence East twelve (12) rods, thence South thirteen (13) rods, thence West twelve (12) rods to the point of beginning; and the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) except commencing forty (40) rods North of the Southwest corner of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) and running thence North forty (40) rods to the Northwest corner of said Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), thence East fourteen (14) rods, thence in a Southwesterly direction to the point of beginning, all in Section Thirty Six (36), Township Eighty Eight (88) North, Range Five (5), West of the Fifth P.M.,

This Affidavit is a replacement of an Affidavit of Possession filed August 25, 2005 in Book 2005 at Page 2986, records of Delaware County Recorder.

That said BRICE A. LUBBEN and NANCY J. LUBBEN, 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 18th day of November, 2005.

Brice A Lubben
BRICE A. LUBBEN, Affiant

Signed and sworn to (or affirmed) before me on November 18, 2005, by BRICE A. LUBBEN.

Toni Plowman
TONI PLOWMAN
Commission Number 715940
My Commission Expires
04-08-08
, Notary Public

● ~~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.

Brice A Lubben
BRICE A. LUBBEN, Owner in Possession

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

, Owner in Possession

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STATE OF IOWA, COUNTY OF DUBUQUE

This instrument was acknowledged before me on November 18, 2005, by BRICE A. LUBBEN.

Toni Plowman

TONI PLOWMAN
Commission Number 715940
My Commission Expires
04-08-08

, Notary Public

● 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 _____, _____.

_____

_____, Recorder