Book 2009 Page 4045
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DEBORAH L PEYTON, RECORDER/REGISTRAR
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)

Steven E. Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057, Phone: (563) 927-4164

Taxpayer Information: (Name and complete address)

The Ruth Harbach Revocable Trust dated November 30, 2004, 2449 210th Ave., Delhi, Iowa 52223

Return Document To: (Name and complete address)

Steven E. Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057, Phone: (563) 927-4164

Grantors:

~~The Ruth Harbach Revocable Trust dated November 30, 2004~~
Ruth Harbach Trustee

Grantees:

Ruth Harbach Revocable Trust

Legal description: See Page 2

Document or instrument number of previously recorded documents:

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THE IOWA STATE BAR ASSOCIATION Official Form No. 154	Steven E. Carr	FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

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 The Ruth Harbach Revocable Trust dated November 30, 2004

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

See 1 in Addendum

That said The Ruth Harbach Revocable Trust dated November 30, 2004 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 26th day of October, 2009.

x Ruth Harbach, Trustee
Ruth Harbach, Trustee, Affiant

Signed and sworn to (or affirmed) before me on October 26 2009, by Ruth Harbach as Trustee of The Ruth Harbach Revocable Trust dated November 30, 2004.

STEVEN E. CARR
Commission Number 713328
My Commission Expires
October 30, 2010

Steven E. Carr
, 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.

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.

x Ruth Harbach, Trustee
The Ruth Harbach Revocable Trust, Owner in Possession
dated November 30, 2004
, 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 October 26, 2009, by Ruth Harbach as The Ruth Harbach Revocable Trust dated November 30, 2004.

STEVEN E. CARR
Commission Number 713328
My Commission Expires
October 30, 2010

Steven E. Carr
, Notary Public

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Addendum

1. The South one-half (S½) of the Northwest Quarter (NW¼) of Section Thirteen (13), except commencing at the Northwest corner of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) and running thence North 89° 33' East two hundred eighty two and nine-tenths (282.9) feet along the North line of said Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), thence South one hundred fifty four (154) feet, thence South 89° 33' West two hundred eighty two and nine-tenths (282.9) feet, thence North one hundred fifty four (154) feet to the point of beginning; and the South one-half (S½) of the Northeast Quarter (NE¼) of Section Fourteen (14), except commencing at the Southwest corner of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) and running thence North five hundred ten (510) feet along the West line of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), thence South 71° 54' East two hundred fifty four and three-tenths (254.3) feet, thence South 3° 00' East four hundred thirty one (431) feet to the South line of said Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), thence West two hundred eighty (280) feet to the point of beginning, and the North fifteen (15) acres of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section Fourteen (14), all in Township Eighty Eight (88) North, Range Five (5), West of the Fifth P.M., subject to easement for roadway over the West thirty (30) feet of the North thirty (30) feet of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of said Section Fourteen (14), and that part of Lot Thirty (30) of the Cedars Subdivision of that part of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of Section Fourteen (14), Township Eighty Eight (88) North, Range Five (5), West of the Fifth Principal Meridian laying East of the Maquoketa River, according to Consent of Owners and Plat recorded in Book 2 Plats, Pages 91-92, which lies within the North three-eighths (N 3/8) of said Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), except that part lying West of a line described as commencing at a point on the Northeasterly line of Lot Twenty Two (22) of said Cedars Subdivision which is fifty five (55) feet Northwesterly from the Southeasterly corner of said Lot Twenty Two (22), and running thence North to the North line of said Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section Fourteen (14).