

BK: 2022 PG: 3181
Recorded: 11/2/2022 at 2:09:33.0 PM
Pages 3
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$20.00
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

This instrument prepared by:

ROSS F. BARNETT, ABENDROTH RUSSELL BARNETT LAW FIRM, 2560 – 73rd Street, Urbandale, Iowa 50322 Phone # (515) 259-9327

Return document to and mail tax statements to:

GREGORY HARLON DEHNING, 214 East Washington Street, Winterset, Iowa 50273

File #ISS (spo)

AFFIDAVIT OF POSSESSION

Legal: **Lot 3 in Block 29 of the ORIGINAL TOWN OF WINTERSET, an Official Plat, now included in and forming a part of the City of Winterset, Madison County, Iowa**

Address: 214 East Washington Street, Winterset, Iowa 50273

We, **Neil J. Timmins and Emily Theresa Timmins, as Trustees of the Real Estate Transactions 401k Trust**, being first duly sworn upon our oaths, do depose and state that Real Estate Transactions 401k Trust is now the record titleholder of the above-described real estate.

We further state that Real Estate Transactions 401k Trust is now in complete actual and sole possession of all of said real estate except as may be herein stated, and that I and my predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to **January 1, 1980**, in continuous, actual, visible, open, notorious, exclusive, and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by anyone.

We further state that Real Estate Transactions 401k Trust is now in complete actual and sole possession of all of said real estate except as may be herein stated, and that I and my predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since **July 1, 1992**, in continuous, actual, visible, open, notorious, exclusive, and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by anyone.

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 Iowa Code Sections 614.17 and 614.17A, and other statutes relative thereto.

Words and phrases herein shall be construed as in the singular of plural number, and as masculine, feminine, or neuter gender, according to the context.

Further this Affiant sayeth naught.

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| <p>STATE OF <u>Iowa</u>) COUNTY OF <u>Polk</u>) SS:</p> <p>On this <u>25th</u> day of <u>October</u>, 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Neil J. Timmins, as Co-Trustee of the Real Estate Transactions 401k Trust, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they, as Trustees, executed the instrument as the voluntary act and deed of the Trust and of the Trustees.</p> <p><i>Ava Louise de Kam Grossmann</i> Notary Public in and for said State</p> | <p>Dated: <u>10.25</u>, 2022</p> <p><i>Neil J. Timmins</i></p> <p>Neil J. Timmins, as Co-Trustee of the Real Estate Transactions 401k Trust</p> |
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