

BK: 2022 PG: 3299
Recorded: 11/15/2022 at 8:21:42.0 AM
Pages 6
County Recording Fee: \$32.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$35.00
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

**AFFIDAVIT REGARDING
NONREVOCATION OF POWER OF ATTORNEY
Recorder's Cover Sheet**

Preparer Information: Aaron M Hubbard, 2900 100th St, Ste 209, Urbandale, IA 50322,
Phone: 515-222-1700

Taxpayer Information: Andrew A. Ross, 2758 Pioneer Avenue, PERU, IA 50222

Return Document To: Aaron M Hubbard, 2900 100th St, Ste 209, Urbandale, IA 50322

Grantors:
James See

Grantees:
Sharon M. Young

Legal Description: Parcel "D" located in the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty-four (34), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 3.16 acres, more or less, as shown in Plat of Survey filed in Book 2018, Page 578 on February 22, 2018, in the Office of the Recorder of Madison County, Iowa, and shown corrected by Affidavit filed in Book 2018, Page 634, on February 28, 2022, in the Office of the Recorder of Madison County, Iowa.



AFFIDAVIT REGARDING NONREVOCATION OF POWER OF ATTORNEY

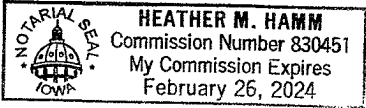
STATE OF IOWA, COUNTY OF POLK SS:

I, **Sharon M. Young**, being first sworn upon my oath, do depose and state under the penalty of perjury that **James See** granted me the authority as an agent or successor agent in a Power of Attorney dated **November 5, 2020**. A true and exact copy of the power of attorney is attached and by this reference hereby made a part of this affidavit.

I further certify all of the following to the best of my knowledge:

1. The principal is alive and has not revoked the power of attorney; the power of attorney and my authority to act under the power of attorney have not terminated.
2. The power of attorney is "durable" because the authority of the agent is not affected by the disability or incapacity of the principal, pursuant to Iowa Code Section 633B.104
3. This affidavit is executed in the absence of fraud and is therefore conclusive proof of the non-revocation or non-termination of the power of attorney, under Iowa Code Section 633B.120
4. The power of attorney was drafted to become effective immediately upon execution
5. Pursuant to Iowa Code Section 633B.119, the holder of the principal's property may rely in good faith on the statements contained in this affidavit and has no duty to inquire further. Failure of the holder of the principal's property to take action at the direction of the agent can result in Court-awarded damages, costs, penalties, and attorney's fees.

This Affidavit is given to clear any potential cloud on the title to the above-described real estate.

<p>STATE OF <u>Iowa</u>) COUNTY OF <u>Polk</u>) SS:</p> <p>On this <u>5th</u> day of <u>October</u>, 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Sharon M. Young, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that those persons executed the same as their voluntary act and deed.</p> <p><u>Heather M. Hamm</u> Notary Public in and for said State</p>	<p>Dated: <u>10/5/</u>, 2022</p> <p><u>Sharon M. Young</u> Sharon M. Young</p> <p></p>
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IOWA STATUTORY POWER OF ATTORNEY

1. POWER OF ATTORNEY

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including but not limited to your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Iowa Uniform Power of Attorney Act, Iowa Code chapter 633B.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to compensation unless you state otherwise in the optional Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent, you may name a coagent in the optional Special Instructions. Coagents must act by majority rule unless you provide otherwise in the optional Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately upon signature and acknowledgment unless you state otherwise in the optional Special Instructions.

If you have questions about this power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, James Dean See, name the following person as my agent:

Sharon M Young, 835 NE Boston Parkway Unit 4202, Waukee, IA 50263

Name Address and Telephone Number of Agent

DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Natalie Sue Walker, 550 3rd Street, Waukee, IA 50263

Name Address and Telephone Number of Successor Agent

If my successor agent is unable or unwilling to act for me, I name as my second successor agent:

NONE

Name Address and Telephone Number of Second Successor Agent

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the Iowa Uniform Power of Attorney Act, Iowa Code chapter 633B:

(Initial each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- Real Property
- Tangible Personal Property
- Stocks and Bonds
- Commodities and Options
- Banks and Other Financial Institutions
- Operation of Entity or Business
- Insurance and Annuities
- Estates, Trusts, and Other Beneficial Interests
- Claims and Litigation
- Personal and Family Maintenance
- Benefits from Governmental Programs or Civil or Military Service
- Retirement Plans
- Taxes *DS*
- All Preceding Subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent shall not do any of the following specific acts for me unless I have initialed the specific authority listed below:

(Caution: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. Initial only the specific authority you WANT to give your agent.)

- Amend, revoke, or terminate a revocable inter vivos trust, if authorized by the trust.
- Agree to the amendment or termination of any other inter vivos trust.
- Make a gift to an individual who is not an agent, subject to the limitations of the Iowa Uniform Power of Attorney Act, Iowa Code section 633B.217, and any special instructions in this power of attorney.

Make gifts, either direct or indirect, to my agent acting under this power of attorney as follows:

- Any such gift must be approved in writing by _____; or
- No third party approval is needed.

- Authorize another person to exercise the authority granted under this power of attorney.
- Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan.
- Exercise fiduciary powers that the principal has authority to delegate.
- Disclaim or refuse an interest in property, including a power of appointment.

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant shall not use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the optional Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines:
I hereby revoke all general or plenary powers of attorney previously executed, excluding powers of attorney described in Iowa Code section 633B.103, and excluding powers of attorney limited to a specific and identifiable action or transaction, which action or transaction is still capable of performance but has not yet been fully accomplished by the agent.

_____ shall have the authority to request an accounting of any agent.

EFFECTIVE DATE

This power of attorney is effective immediately upon signature and acknowledgment unless I have stated otherwise in the optional Special Instructions.

NOMINATION OF CONSERVATOR AND GUARDIAN (OPTIONAL)

If it becomes necessary for a court to appoint a conservator of my estate or guardian of my person, I nominate the following person(s) for appointment:

Sharon Young, 835 NE Boston Parkway, Waukee, IA 50263
 Name Address and Telephone Nominee for Conservator of My Estate

Sharon Young, 835 NE Boston Parkway, Waukee, IA 50263
 Name Address and Telephone Nominee for Guardian of My Person

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

SIGNATURE AND ACKNOWLEDGMENT

JDS
Your Signature

Date 11-5-10

James Dean See
Your Name Printed

2758 Pioneer Avenue, Peru, IA 50222
Your Address

Your Address

Your Telephone Number

STATE OF IOWA, COUNTY OF Polk
This document was acknowledged before me on November 5, 2010, by James Dean See

[Signature]
Signature of Notary Public



This document prepared by David L. Wetsch, 699 Walnut St. #1600 Des Moines, Iowa 50309

2. IMPORTANT INFORMATION FOR AGENT

AGENT'S DUTIES

When you accept the authority granted under this power of attorney, a special legal relationship is created between the principal and you. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must do all of the following:

Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest.

Act in good faith.

Do nothing beyond the authority granted in this power of attorney.

Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as agent in the following manner:

James Dean See by Sharon M Young as Agent.