Document 2009 2199

Book 2009 Page 2199 Type 06 009 Pages 2
Date 7/09/2009 Time 11:21 AM
Rec Amt $14.00

INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Preparer: Amy J. Skogerson, AT0003683, 113 W. Iowa St., Greenfield, IA 50849, (641) 743-6195
Return To: Jungmann & Skogerson, P.C., P.O. Box 329, Greenfield, IA 50849
Grantor: Amy J. Skogerson
Grantee: Southern Iowa Rural Water Association

AFFIDAVIT OF POSSESSION

Re: That part of a county highway resolved by the Madison County Board of Supervisors on January 20, 1866, in Road Record Book A, Page 276, on file in the Madison County Engineers Office, Madison County, Iowa, located in the East Half of Section 31 and the West Half of Section 32, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, which county highway was subsequently abandoned by Resolution of the Madison County Board of Supervisors on April 14, 2009 as shown by instrument filed April 30, 2009 in Book 2009 at Page 1300 in the office of the Madison County Recorder. The centerline of said abandoned county highway is more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter (NW ¼) of Section 32; thence Southerly 43 feet to the south right of way line of a Madison County highway and the point of beginning; thence Southerly along the said county highway centerline approximately 5081 feet to the termination of said county highway centerline at a point on the northerly right of way of the State of Iowa highway located approximately 150 feet Northerly of the State of Iowa highway centerline.

STATE OF IOWA, COUNTY OF ADAIR, ss:

The undersigned first being duly sworn upon oath deposes and states:

1. I am an attorney licensed to practice law in the State of Iowa. I have searched the records of the Madison County Recorder and the Madison County Auditor for the purpose of determining the record titleholder of the easement described herein.

2. SOUTHERN IOWA RURAL WATER ASSOCIATION, its successors and assigns, is now the record titleholder of an affirmative and perpetual easement in, to, and running with the real estate described above, which real estate was previously designated as public right of way, together with a general and perpetual right of ingress and egress along said real estate.

3. SOUTHERN IOWA RURAL WATER ASSOCIATION is now in complete actual and sole possession of the easement described above except as may be herein stated.

4. Said easement is solely for the general purposes of archaeological studies where required, the stringing of pipe, initial construction and thereafter to use, operate, tap and install service lines, inspect, repair, maintain, replace, remove and improve water pipelines and any necessary appurtenances thereto over, across and through the real estate described above.

5. This affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholder, and its party in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Iowa Code §§614.17 and 614.17A, and other statutes relative thereto.

Dated: July 7, 2009

Amy J. Skogerson, Affiant

Subscribed and sworn to before me on this 7th day of July, 2009.

NOTARIAL SEAL IOWA
BARBARA SUE McKIBBAN
Commission Number 745763
My Commission Expires
03/09/2010

Notary Public