

Document 2008 1372

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LISA SMITH, COUNTY RECORDER
MADISON IOWA

CHEK



AFFIDAVIT OF POSSESSION

THE IOWA STATE BAR ASSOCIATION

Official Form No. 154

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Claire B. Patin
106 East Salem, P. O. Box 215
Indianola, IA 50125 Phone: (515) 961-2574

Taxpayer Information: (Name and complete address)

Patricia W. Barry
523 North Beverly Drive
Beverly Hills, CA 90210

Return Document To: (Name and complete address)

Claire B. Patin
106 East Salem, P. O. Box 215
Indianola, IA 50125 Phone: (515) 961-2574

Grantors:

Patricia W. Barry

Grantees:

Patricia W. Barry a/k/a Patricia Barry

Legal description: See Pages 5-8

Document or instrument number of previously recorded documents:



AFFIDAVIT OF POSSESSION

CALIFORNIA

TO WHOM IT MAY CONCERN: STATE OF ~~IOWA~~, _____ COUNTY, ss:

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

That Patricia W. Barry a/k/a Patricia Barry

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

See attached Pages 3 - 6

That said Patricia W. Barry a/k/a Patricia Barry 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 15 day of April, 2008

Patricia W. Barry
Patricia W. Barry, Affiant

~~Signed and sworn to: (or affirmed) before me on _____, 2008, by Patricia W. Barry~~

*(see attached
Notarizations)*

_____, 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.

Patricia W. Barry 4/15/08
Patricia W. Barry a/k/a Patricia Barry, Owner in Possession

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

N/A
_____, Owner in Possession

~~STATE OF CALIFORNIA, COUNTY OF _____~~

~~This instrument was acknowledged before me on _____, 2008, by Patricia W. Barry a/k/a Patricia Barry~~

_____, Notary Public

JURAT

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 15th
day of April, 2008, by Patricia W. Barry
a/k/a Patricia Barry,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature Marla B. Cotozky

Acknowledgement for
Power of Attorney

ACKNOWLEDGMENT

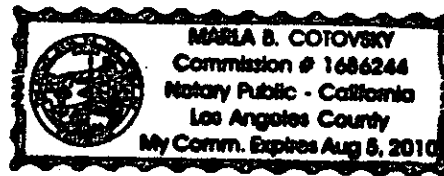
State of California
County of Los Angeles)

On April 18, 2008 before me, Marla B. Cotovsky
(insert name and title of the officer)

personally appeared Patricia W. Barry
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature Marla B. Cotovsky (Seal)

Commission # 1686244
exp 8/5/10

The West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Twelve (12) and the West 20 feet of the South 71 rods of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section One (1) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa

A parcel of land described as commencing at the South Quarter ($\frac{1}{4}$) corner of Section Six (6), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence West 627.7 feet along the South line of said Section Six (6), thence North $16^{\circ}44'$ West along the West right-of-way line of U. S. Highway No. 169 871.7 feet to the point of beginning, thence continuing North $16^{\circ}44'$ West along said West right-of-way line 219.0 feet, thence South $84^{\circ}55'$ West 164.8 feet, thence North $07^{\circ}47'$ West 44.2 feet, thence South $86^{\circ}49'$ West 161.8 feet, thence South $61^{\circ}04'$ West 88.0 feet, thence South $00^{\circ}42'$ East 99.0 feet, thence South $78^{\circ}23'$ West 114.8 feet, thence South $41^{\circ}52'$ East 162.1 feet, thence South $33^{\circ}00'$ East 392.2 feet, thence North $78^{\circ}14'$ East 112.7 feet, thence North $07^{\circ}52'$ West 339.0 feet, thence North $82^{\circ}37'$ East 198.4 feet to the point of beginning, containing 4.2409 acres exclusive of any public road right-of-way, and is situated in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Six (6), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa

An undivided $\frac{1}{2}$ interest in the following:

~~Lots Five (5) and Six (6) in Block Thirty (30) of the Original Town of Winterset, Madison County, Iowa~~

Land in Section Twelve (12), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa:

The Southeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$); the East Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$); the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$), subject to public highways; and the North Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) EXCEPT that part thereof lying South and West of Middle River; AND all that part of the East $26 \frac{2}{3}$ rods of the South Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) which lies North and East of Middle River; AND all that part of the West $26 \frac{2}{3}$ rods of the East $53 \frac{1}{3}$ rods of the South 120 rods of the East Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) which lies North and East of the middle of the main channel of Middle River and estimated to contain $2 \frac{3}{4}$ acres, more or less

Land in Section Six (6), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa:

The South Half ($\frac{1}{2}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$); the Southwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$), and all that part of the South Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and of the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) lying West of the old abandoned

public highway; AND a tract of land commencing 627.7 feet West of the Southeast corner of the Southwest Quarter (1/4) of Section Six (6), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, and running thence West on the section line 447.8 feet, thence North 8°59' East 476.1 feet, thence North 9°39' West 876.9 feet, thence North 1°11' East to the intersection of the West line of Public Highway #169, thence South 16°44' East along the West line of said highway approximately 1685.7 feet to the point of beginning, EXCEPT a tract condemned for highway purposes described as follows: Commencing at a point on the West line of said highway 207.4 feet Northerly from the Southeast corner of the above-described tract, and running thence South 73°16' West 9.5 feet, thence Southwesterly along a 253.5 foot radius curve central angle 20° concave Southerly 88.7 feet, thence South 53°16' West 189.1 feet to the South line of said section, thence West 110.4 feet, thence North 53°16' East 277.5 feet, thence Northeasterly along a 319.5 foot radius curve central angle 20° concave Southerly 111.8 feet, thence North 73°16' East 9.5 feet, thence South 16°44' East 66 feet to point of beginning and containing 1/2 of an acre, more or less; AND EXCEPT a parcel of land situated in the Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the Southwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of said Section Six (6) described as follows:

Commencing at the South Quarter (1/4) corner of said Section Six (6), thence West 627.7 feet along the South line of said Section Six (6), thence North 16°44' West along the West right-of-way line of U. S. Highway No. 169 871.7 feet to the point of beginning, thence continuing North 16°44' West along said West right-of-way line 219.0 feet, thence South 84°55' West 164.8 feet, thence North 07°47' West 44.2 feet, thence South 86°49' West 161.8 feet, thence South 61°04' West 88.0 feet, thence South 00°42' East 99.0 feet, thence South 78°23' West 114.8 feet, thence South 41°52' East 162.1 feet, thence South 33°00' East 392.2 feet, thence North 78°14' East 112.7 feet, thence North 07°52' West 339.0 feet, thence North 82°37' East 198.4 feet to the point of beginning, containing 4.2409 acres exclusive of any public road right-of-way;

AND EXCEPT a tract located in the East Half (1/2) of the Southwest Quarter (1/4) conveyed to Madison County, Iowa, in Deed Record 109, Page 25 on May 25, 1979 in the Office of the Recorder of Madison County, Iowa, more particularly described as follows:

Commencing at the South Quarter Corner of said Section Six (6), thence West 627.7 feet along the South line of said Section 6, thence North 16°44' West along the West right-of-way line of U. S. Highway No. 169 1090.7 feet to the point of beginning, thence South 84°55' West 164.8 feet, thence North 144 feet, thence West 30 feet, thence North 770 feet, thence East to the West right-of-way line of U. S. Highway No. 169, thence Southeasterly along the West right-of-way line of U. S. Highway No. 169 to the point of beginning.

Land in Section Seven (7), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa:

The North Half (1/2) of the Northwest Fractional Quarter (1/4) of the Southwest Fractional Quarter (1/4); the Southwest Fractional Quarter (1/4) of the Northwest Fractional Quarter (1/4); all that part of the North Fractional Half (1/2) of the Northwest Quarter (1/4) lying

West of the old abandoned public highway; all that part of the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) which lies North and West of Middle River, all that part of the North 21.25 rods of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) which lies North and West of Middle River; AND a tract described as commencing at a point on the North line of the Northeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Seven, which is 665 feet West of the Northeast corner thereof, and running thence South, $33^{\circ}40'$, West, 603.2 feet, thence South $33^{\circ}32'$ West 294.6 feet, thence North $8^{\circ}30'$ East 627.0 feet, thence North $53^{\circ}24'$ East 209.0 feet to the North line of said Forty (40) acre tract, thence East on said North line 241.0 feet to the point of beginning; and the West 14 rods and 20 links of the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$), excepting therefrom the North 20 rods and 7 links thereof; AND Lot 1 of the Northeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) EXCEPT a tract described as follows: Commencing at the Northeast corner of said Northeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$), running thence South 330 feet, thence West 257.7 feet, thence North $50^{\circ}45'$ West 357.7 feet, thence North 27° East 116.5 feet to the North line of said fractional 40 acre tract, thence East on said line 451.8 feet to the place of beginning; AND EXCEPT a tract described as follows: Commencing at a point 481 feet West of the Northeast corner of said Northeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$), thence South 39° West 594 feet, thence South 29° West 330 feet, thence South 41° East 330 feet, thence South 37° East 257.4 feet, thence East 135 feet, thence North 28° West 700 feet, thence North 25° East 230 feet, thence North 27° East 585 feet to the place of beginning; AND Lot 4 of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$); AND that part of Lot 5 of said Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) described as follows: Commencing at a point on the South line of said Lot 5, 45 rods West of the Southeast corner of said Northwest Fractional Quarter ($\frac{1}{4}$), running thence West along the South line thereof to the Southwest corner of said Lot 5, thence North 44° East 38 rods and 19 links, thence North 25° East 3 chains, thence in a Southerly direction to the place of beginning, and all that part of said Lot 5 West of the West line of said Lot 4 and East of the East line of Lot 3 of said Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) which lies North of the public highway; AND Lot 6 of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) and a tract containing 1 acre, being 8 rods North and South and 20 rods East and West in the Southeast corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$), EXCEPTING from said Lot 6 and said 1 acre tract a tract described as follows: Commencing at a point 33 feet West of the Northwest corner of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$), running thence South 120 feet, thence East 340 feet to the West line of the public highway, thence in a Northwesterly direction along the West line of said highway to a point where the West line of said highway joins the South line of the public highway running from the aforesaid highway in a Southwesterly direction, and thence from said junction point along the South line of said highway running in a Southwesterly direction to a point 170 feet North of the starting point and from thence South to the point of beginning; AND Lots 7 and 8 of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$); EXCEPTING from said Section 7 that part of said real estate conveyed to the State of Iowa for road purposes and for use as a public highway, more particularly described in the

conveyance thereof which is recorded in Deed Record 57, Page 562, and containing 5.6 acres, more or less; AND EXCEPT land located in the Southeast Quarter (¼) of the Southwest Quarter (¼) of said Section Six (6), and in the Northeast Quarter (¼) of the Northwest Quarter (¼) of said Section Seven (7), containing 7.2443 acres as shown in Plat of Survey attached to the Warranty Deed filed in Deed Record 106, Page 363-365 on February 7, 1977, in the Office of the Recorder of Madison County, Iowa, described as follows:

Parcel "A" - Commencing at the South Quarter Corner of said Section Six (6), thence West 627.7 feet along the South line of said Section 6; thence North 16°44' West along the Westerly right-of-way line of U. S. Highway 169 199.4 feet to the point of beginning; thence continuing thence North 16°44' West along the West right-of-way line of U. S. Highway 169 672.3 feet; thence South 82°37' West 198.4 feet; thence South 7°52' East 339.0 feet; thence South 9°05' West 602.8 feet; thence North 52°43' East along the centerline of a county road right-of-way 481.8 feet; thence North 69°13' East along the centerline of a county road right-of-way 59.5 feet to the point of beginning

Parcel "B" - Commencing at the South Quarter Corner of said Section Six (6), thence West along the South line of said Section 6 963.8 feet to a point on the centerline of a county road right-of-way; thence South 52°43' West 201.4 feet to point of beginning; thence North 61°09' West 252.0 feet; thence North 28°17' East 431.1 feet; thence North 00°43' East 70.0 feet; thence North 78°14' East 112.7 feet; thence South 9°05' West 602.8 feet to point of beginning.

Land in Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa:

The Southeast Quarter (¼) of the Southeast Quarter (¼) of Section One (1), in Township Seventy-five (75) North, Range Twenty-eight (28), West of the 5th P.M., Madison County, Iowa, EXCEPT a tract described as follows: Commencing at the Southwest corner of said 40 acre tract, and running thence North 71 rods, thence East 20 feet, thence South 71 rods, thence West 20 feet to the place of beginning.