

8 Prepared by & Return To:  
J. Vandewater  
1091 - 220th St.  
Winterset, IA 50273  
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MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA

## SPECIAL POWER OF ATTORNEY

### REAL PROPERTY

Document 2004 5808

Book 2004 Page 5808 Type 06 08 Pages 2  
Date 12/08/2004 Time 3:28 PM  
Rec Amt \$12.00

**PREAMBLE:** This is a **MILITARY POWER OF ATTORNEY** prepared pursuant to Title 10, United States Code, 1044b, and executed by a person authorized to receive legal assistance from the military services. Federal law exempts this power of attorney from any requirement of form, substance, formality, or recording that is prescribed for powers of attorney by the laws of a state, the District of Columbia, or a territory, commonwealth, or possession of the United States. Federal law specifies that this power of attorney shall be given the same legal effects a power of attorney prepared and executed in accordance with the laws of the jurisdiction where it is presented.

5ATK ✓  
KNOW ALL PERSONS BY THESE PRESENTS:

COMPUTER	✓
RECORDED	✓
COMPARED	

That I, **LEE J. VANDEWATER** of the State of IOWA, (legal residence) a member of the **United States Armed Forces** (or a family member of a person in the **Armed Forces of the United States**), currently in **BAGRAM, Afghanistan** pursuant to Military orders, do hereby appoint **JESSICA A. VANDEWATER**, presently of IOWA, as my true and lawful attorney-in-fact to do the following in my name and in my behalf:

To bargain, purchase, sell, refinance, assign, and convey, using the standard of a reasonable purchaser under no compulsion to purchase and engaging in an arms-length bargaining transaction, from any person of my attorney's choice, to secure all my right, title and interest in real estate, a house and lot, with or without acreage, or a condominium, located at **1091 220<sup>TH</sup> STREET, WINTERSET, IA 50273**. Further described as:

**LOT THREE OF REMINGTON ACRES SUBDIVISION PART OF SE 1/4 SEC 31 TWP 76N, R29W OF 5TH PM.**

On my behalf, in any manner that my attorney shall deem wise; to transmit, sign, seal, execute and deliver any and all funds, deeds, contracts, or other documents necessary to carry out the foregoing, to include closing of escrow and commitment of any financing, and execution of any promissory note, deed of trust, and to accept a warranty deed.

BY THIS DOCUMENT I GIVE AND GRANT TO my attorney full power and authority to perform every act that is necessary or appropriate to accomplish the purposes for which this Power of Attorney is granted, as fully and effectually as I could do if I were present.

I HEREBY RATIFY ALL THAT MY ATTORNEY SHALL LAWFULLY DO OR CAUSE TO BE DONE BY VIRTUE OF THIS DOCUMENT.

All business transacted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by my attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my attorney and designation "attorney-in-fact."

I intend for this to be a **DURABLE** Power of Attorney. This Power of Attorney will continue to be effective if I become disabled, incapacitated, or incompetent. I direct my attorney-in-fact to seek legal counsel in order to determine the existence of legal requirements, such as required filing or placement of notices, which may affect the validity of their document.

Notwithstanding my inclusion of a specific expiration date herein, if on the specified expiration date, or during the sixty (60) day period preceding that specified expiration date, I should be or have been determined by the United States Government to be a military status of "missing," "missing in action," or "prisoner of war,"

25<sup>th</sup> ID (L), SEP 98

then this Power of Attorney shall remain valid and in full effect until sixty (60) days after I have returned to United States military control following termination of such status UNLESS OTHERWISE REVOKED OR TERMINATED BY ME.

Unless sooner revoked or terminated by me, this Power of Attorney shall become **NULL** and **VOID** on 27 OCTOBER 2005.

IN WITNESS WHEREOF, I sign, seal, declare, publish, make and constitute this as and for my Power of Attorney in the presence of the Notary Public witnessing it at my request this date, 27 OCT 04.

Lee Vandewater  
Signature

### ACKNOWLEDGMENT

Subscribed, sworn to and acknowledged before me on 27 OCTOBER 2004, by LEE J. VANDEWATER, the declarant, who is known to me to be a member of the Armed Forces of the United States serving on Active Duty. This acknowledgment is executed in my official capacity under the authority granted by Title 10, United States Code, Section 1044, which also states that no seal is required for this acknowledgment.

(Sign) Shanti L. Leiker

Official Capacity

(Print) Shanti L. Leiker

Rank/Component

