



Prepared by Roehrick, Halting, Knoll & Blumberg P.C. 505 Fifth Ave  
S. 535 Des Moines  
243-1403

# AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN:

STATE OF IOWA

MADISON COUNTY } ss.

COMPUTER   
RECORDED   
COMPARED

FILED NO. 005513  
BOOK 2001 PAGE 5513

2001 DEC -7 PM 3:17

MICKI UTSLER  
RECORDER

are now the record titleholders of the following described real estate, situated in Madison MADISON COUNTY IOWA  
Iowa, to-wit:

REC \$ 5<sup>00</sup>  
AUD \$  
R.M.F. \$ 1<sup>00</sup>

Parcel F in the W 1/2, SW 1/4, Section 35, T75N, R26W, as described  
in Survey dated September 12, 2001, containing 55.776 acres . Recorded  
September 28, 2001 in Book 2001, Page 4364 in the office of the  
Madison County Recorder

That said Edith D. Bice

are now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their 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, 1960, 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 any one. 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 Section 614.17, Code of Iowa, and other statutes relative thereto.

Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

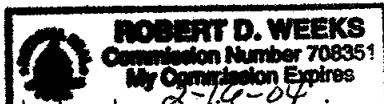
Dated this 23 day of NOV, 19 2001

Judy Cutchall, Conservator  
Judy Cutchall, Conservator, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 23 day of NOV, 19 2001

[Signature of Notary Public]

Notary Public in and for said County and State



### 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.

If the Power of Attorney is granted by a Corporation  
attach corporate acknowledgment (Official Form No. 12).

STATE OF IOWA, \_\_\_\_\_ COUNTY, ss: \_\_\_\_\_, Owner in Possession

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

\_\_\_\_\_, Notary Public in and for said County and State

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.

### MARGINAL ENTRY

STATE OF IOWA, COUNTY OF Madison ss:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit was filed in the said Recorder's Office by the owner in possession as named in said affidavit or by his attorney in fact as shown by the records; and duly recorded and entered on the records thereon on the 7<sup>th</sup> day of December, 2001.

[Signature of Lisa K. Smith, Deputy Recorder]

Recorder

Authority: Tisdell v. Hanes  
245 Iowa 742 (1957)  
82 NW(2d) 110.

The Code, 1973, Sections 614.17 to 614.20 inclusive.