REC \$ 500 AUD \$ R.M.F. \$ 100 FILED NO.001616 BOOK 2002 PAGE 1616

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This instrument prepared by and return to:

ROSS F. BARNETT, Авендротн & Russell, P.C., 2536 – 73<sup>rd</sup> Street, Urbandale, Iowa 50322 PH (515) 278-6010 FR
MADISTRUCTURE VIONA

## AFFIDAVIT OF POSSESSION

We, the undersigned, being first duly sworn upon our oath, do depose and state that Larry Smith, also known as Larry D. Smith, and Elizabeth Ann Smith, also known as Elizabeth A. Smith, are now the record titleholders of the following-described real estate, situated in Madison County, lowa, to-wit:

That part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) and the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Fifteen (15), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., City of Truro, Madison County, Iowa, containing 30.00 acres, as shown in Plat of Survey filed in Book 2002, Page 1043 on March 4, 2002, in the Office of the Recorder of Madison County, Iowa, except any part thereof conveyed to Madison County, Iowa, for road purposes



Elizabeth Ann Smith, also known as Elizabeth A. Smith, 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, 1980, 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 anyone. 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 lowa Code Section 614.17, and other statutes relative thereto.

Words and phrases herein shall be construed as in the singular of plural number, and as masculine, feminine, or neuter gender, according to the context.

Further this Affiant sayeth naught. Dated: Q4/01/02 . 2002 STATE OF IOWA SS: COUNTY OF MADISON On this O I day of U before me the undersigned, a Notary Public in and for said State, personally appeared Larry Larry Smith, also known as Larry D. Smith Smith, also known as Larry D. Smith, and Elizabeth Ann Smith, also known as Elizabeth A. Smith, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as Smith, also known as their **/**oluntary act and dee**/** mith 6-17-200

Notary Public in and for the State of Iowa