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R.M.F. \$

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2003 APR 23 PM 12:11  
(12:11 PM)  
MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

Preparer Information  G. Stephen Walters, P.O. Box 230, Winterset, Iowa 50273, (515) 462-3731

Individual's Name

Street Address

City

Phone



### AFFIDAVIT OF POSSESSION

SPACE ABOVE THIS LINE  
FOR RECORDER

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

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

That ROBERT B. CLABAUGH and SALLY J. CLABAUGH

are now the record titleholders of the following described real estate situated in Madison County, to-wit:  
See 1 in Addendum

That said ROBERT B. CLABAUGH and SALLY J. CLABAUGH

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 22nd day of April, 2003.

J.M. Hochstetler  
J.M. Hochstetler

, Affiant

Subscribed in my presence and sworn to (affirmed) before me by the said affiant this 22nd day of April, 2003.

Kim Leonard  
Kim Leonard

, Notary Public



#### 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.

Robert B. Clabaugh  
Robert B. Clabaugh

, Owner in Possession

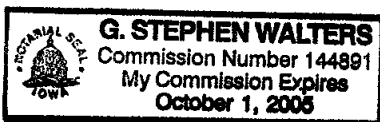
Sally J. Clabaugh  
Sally J. Clabaugh

, Owner in Possession

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

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on April 22, 2003  
by Robert B. Clabaugh and Sally J. Clabaugh



G. Stephen Walters  
G. Stephen Walters

, 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.

The undersigned Recorder hereby certifies that the foregoing affidavit was filed in the Recorder's Office by the owner in possession as named in the affidavit or by the attorney-in-fact as shown by the records, and duly recorded and entered on the records on the 23rd day of April, 2003.

Michelle Utsler  
Michelle Utsler

, Recorder

Addendum

1. A parcel of land in the South Half (1/2) of the Northwest Quarter (1/4) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, the West line of the Northwest Quarter (1/4) of said Section Twelve (12); thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-of-way; thence West 135.97 feet along a 6436.80 foot curve concave North with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres

Wherever in the chain of title to the above described property the following real estate description is used, it is intended to and does describe the portion of the above described real property which is north of the present Madison County Road right-of-way. The northern boundary of the Madison County Road right-of-way is more accurately described in the above description.

A tract of land commencing at a point 690.7 feet North and 859 feet East of the West Quarter (1/4) Corner of Section Twelve (12) in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, running thence East 1094 feet, thence South 442 feet to the North right-of-way line of Primary Road No. 400, thence North 70°39'54" West along said right-of-way line 80.7 feet, thence South 83°48'40" West 616.3 feet, thence South 10 feet, thence West along said curve 177.1 feet, thence North 10°03' West 510 feet to the point of beginning, containing 11.44 acres, more or less

I am a licensed land surveyor in the State of Iowa and was involved in the preparation of the preliminary and final plats of the Clabaugh subdivision. As such I have personal knowledge of these matters.