

REC \$ 10<sup>00</sup>      COMPUTER   
 AUD \$ \_\_\_\_\_      RECORDED   
 R.M.F. \$ 1<sup>00</sup>      COMPARED

Preparer Information: Delbert C. Binford, 380 One Corp Pl., 1501 42nd St., WDM, IA 50266, (515) 224-4737  
Individual's Name      Street Address      City      Phone

Delbert C. Binford ISBA # 000320      **SPACE ABOVE THIS LINE FOR RECORDER**

**AFFIDAVIT OF POSSESSION**

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

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

That Lehigh Clay Properties, Ltd. are now the record titleholders of the following described real estate situated in Madison County to-wit:

The Southwest Quarter (SW ¼) of Section Twenty-One (21), in Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa.

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;

That I have personal knowledge that the Mortgage shown in the Records of the Recorder of Madison County, Ia in the face Amount of \$746,500.00 by Lehigh Properties, Ltd. as mortgagor to Clarke County State Bank, as mortgagee dated November 30, 1998 and filed of record December 1, 1998 in Mortgage Record book 204 at page 43 bears the erroneous Range designation of Twenty-six (26) instead of the correct designation of range number Twenty- nine (29). That Lehigh Clay Properties, Ltd. does not claim any title or interest in the property located in Range Twenty-six and the mortgage was intended to encumber the described property located in Range Twenty-nine (29).

Dated this 9th day of April, 1999

*Richard McHose*  
Richard McHose, Affiant

Subscribed in my presence and sworn to (affirmed) before me by the said affiant this 9th day of April, 1999

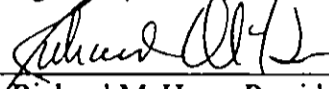
*Delbert C. Binford*  
Delbert C. Binford, Notary Public

✓ FILED NO. 4142  
BOOK 45 PAGE 624  
99 APR 12 AM 11:17  
MICHELLE UTSELL  
RECORDER  
MADISON COUNTY, IOWA

**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.

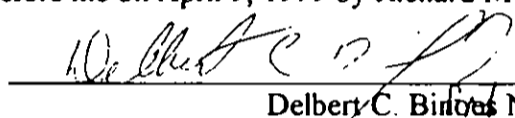
Lehigh Properties, Ltd.



By Richard McHose, <sup>President</sup> Owner in Possession <sub>partner</sub>

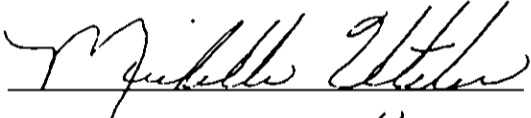
STATE OF IOWA, COUNTY OF POLK

This instrument was acknowledged before me on April 9, 1999 by Richard McHose.

  
\_\_\_\_\_  
Delbert C. Birnes 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 12<sup>th</sup> day of APRIL, 19 99

  
\_\_\_\_\_  
MARSHALL COUNTY, Recorder

2243  
12-1-98