

AFFIDAVIT OF POSSESSION

FILED NO. 2771

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95 APR 27 PM 4: 12

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

TO WHOM IT MAY CONCERN:

STATE OF IOWA

MADISON COUNTY, ss:

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

That City of Winterset, Iowa

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

The East Half (E 1/2) of Lot Five (5) and Lots Six (6), Seven (7), Eight (8), all in Block Seven (7) of A. B. Shriver's Addition to the City of Winterset, Madison County, Iowa.

COMPUTER   
RECORDED   
COMPARED

REC \$ 7.00  
AUD \$         
R.M.F. \$       

That said City of Winterset, Iowa 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 Section 614.17, Code of Iowa, and other statutes relative thereto.

See Exhibit A attached.

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 31 day of August, 199 4.

Jerry L. Schwerfeger  
Affiant

Subscribed in my presence and sworn to (affirmed) before me by the said affiant this \_\_\_\_\_ day of August, 199 4.

\_\_\_\_\_, Notary Public  
in and for the State of 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.

X By Jerry L. Schwerfeger  
Jerry L. Schwerfeger, Owner in Possession  
Mayor of the City of Winterset, Iowa  
CITY OF WINTERSSET, IOWA  
COUNTY, ss:

STATE OF IOWA,  
SEE ATTACHED ACKNOWLEDGMENT

On this \_\_\_\_\_ day of \_\_\_\_\_, 199 \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Iowa, 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 the State of Iowa

The use of the Power of Attorney with acknowledgment is optional and may be omitted if the affiant 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 27 day of April, 199 5.

Michelle Utsler  
Recorder.  
Shirley H. Henry  
Deputy

IF AFFIDAVIT OF POSSESSION FORM  
Revised Apr. 1990

That wherever in the chain of title to the above described real property the following two legal descriptions appear, they are intended to, and do, describe the real property described in the first legal description:

**First legal description.** All that part of Block Seven (7) in Shriver's Addition to the City of Winterset, Madison County, Iowa, lying north of a line 15 feet south of and parallel to the centerline of the former main track of the Chicago, Rock Island and Pacific Railroad Company.

**Second legal description.** The railroad right-of-way across the north part of Lots Five (5), Six (6), Seven (7) and Eight (8) in Block Seven (7) in A. B. Shriver's Addition to the Town of Winterset, Madison County, Iowa.

EXHIBIT A

STATE OF IOWA )

ss

MADISON COUNTY)

On this 21 day of August, 1994, before me, a Notary Public in and for the State of Iowa, personally appeared Jerry L. Schwertfeger, to me personally known and who being by me duly sworn did say that he is the Mayor of the City of Winterset, Iowa; that the foregoing instrument was signed and sealed on behalf of the corporation; and that he has acknowledged the execution of the instrument to be his voluntary act and deed and the voluntary act and deed of the corporation by it voluntarily executed.



*Cindy M. Bush*  
Notary Public in and for the State of Iowa.