

2001-68759

REC. \$ 5.00

R.D.S.

R.I.F. \$ 1.00

FILED NO. 1737

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95 DEC 27 AM 9:36

COMPUTER RECORDED COMPARED

MICHELLE UTSLER RECORDER MADISON COUNTY IOWA

When recorded return to:

Midland Financial Mortgages 3601 Westown Parkway West Des Moines, IA 50266 515-223-3400

Prepared by: James V. Sarcone, Jr., 2000 Financial Center, Des Moines, IA 50309, 515-243-7100

AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN:

STATE OF IOWA ) ) ss COUNTY OF POLK )

The undersigned first being duly sworn (or affirmed) upon oath depose and state:

That Randy R. Bortell and Twila G. Bortell, husband and wife, are now the record titleholders of the following described real estate situated in Madison County, to-wit:

Lots Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Block Nine (9), in the Town of Hanley, formerly known and platted as West St. Charles, Madison County, Iowa

That said Randy R. Bortell and Twila G. Bortell, husband and wife, 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, for more than ten years 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 614.17A, 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 20th day of December, 1995.

[Signature of Randy R. Bortell] Randy R. Bortell, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 20th day of December, 1995.



[Signature of Shari Witt] 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.

[Signature of Randy R. Bortell] Randy R. Bortell, Owner in Possession

STATE OF IOWA, POLK COUNTY, ss:

On this 20th day of December, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Randy R. Bortell, 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.



[Signature of Shari Witt] Notary Public in and for the State of Iowa

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 December, 1995.

MICHELLE UTSLER Recorder

[Signature of Betty M. Niblo] Deputy