

AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN:

STATE OF IOWA )  
POLK COUNTY ) ss

REC \$ 5.00  
AUD \$  
R.M.F. \$ 1.00

FILED NO. 164

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94 JUL 19 PM 2:25

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

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

That Scott Lawrence Dvorak and Richard John Horbach

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

The North Half (1/2) of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-eight (28), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

That said Scott Lawrence Dvorak and Richard John Horbach 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 hold 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 18 day of July, 1994.

*Scott Lawrence Dvorak*  
Scott Lawrence Dvorak, Affiant  
*Richard John Horbach*  
Richard John Horbach, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 18 day of July 1994

Notary Public in and for said County and State



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.

\_\_\_\_\_  
Owner in Possession

STATE OF IOWA, \_\_\_\_\_ COUNTY, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19, before me, the undersigned, a Notary Public in and for said County and State, 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 said County and State

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 19th day of July, 1994.

*Michelle Utsler*  
Recorder

COMPUTER RECORDED COMPARED