



AFFIDAVIT OF POSSESSION

COUNTER
RECORDED
COMPARED

FILED NO. 475
BOOK 42 PAGE 414
94 AUG 16 AM 10:31

TO WHOM IT MAY CONCERN:

STATE OF IOWA

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

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Madison COUNTY } ss.

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

That Kevin L. James and Jodi L. James, formerly Jodi L. Landuyt

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

Lot Ten (10) and the North Half (N $\frac{1}{2}$) of Lot Nine (9) of the subdivision of Lots Eleven (11), Twelve (12), and Thirteen (13) of Hutchings Addition to the Town of Winterset, in Madison County, Iowa.

That said Kevin L. James and Jodi L. James 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.

That a mortgage from Kevin L. James and Jodi L. Landuyt to Midland Financial Mortgages, Inc., dated and recorded February 10, 1993, in Mortgage Record 165 on page 154 used the following incorrect legal description for the property owned by Kevin L. James and Jodi L. James, formerly Jodi L. Landuyt:

Lot Ten (10) and the North Half (N $\frac{1}{2}$) of Lot Nine (9) and the Subdivision of Lots Eleven (11), Twelve (12), and Thirteen (13), of Hutching Addition to the Town of Winterset, in Madison County, Iowa.

Kevin L. James and Jodi L. James have never held, or claimed to hold, any interest in Lot Ten or the North Half of Lot Nine of Hutching's Addition to the City of Winterset, Madison County, Iowa.

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 15th day of August, 1994

Kevin L. James
Kevin L. James, Affiant

Jodi L. James
Jodi L. James, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant: this 15th day of August, 1994

Kathy D. Nicholl
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.

If the Power of Attorney is granted by a Corporation attach corporate acknowledgment (Official Form No. 12).

Kevin L. James
Kevin L. James, Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 15th day of August, 1994, before me, the undersigned, a Notary Public in and for

the State of Iowa, personally appeared Kevin L. James, 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.

Kathy D. Nicholl
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 affidavit 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 thereof on the 16th day of AUGUST, 1994

Michelle Utsler
Recorder.

Please type or print names under signatures as per Code Section 339.2