



### AFFIDAVIT OF POSSESSION

REC \$ 10.00  
AUD \$ \_\_\_\_\_  
R.M.F. \$ 1.00

FILED NO. 1719

TO WHOM IT MAY CONCERN:

BOOK 42 PAGE 630

STATE OF IOWA

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RECORDED   
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\_\_\_\_\_ COUNTY, ss:

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

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

That James D. Carey and Donna J. Carey, husband and wife,

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

See Exhibit A attached hereto.

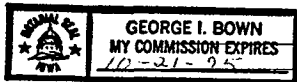
That said James D. Carey and Donna J. Carey, husband and wife, are now in complete actual and sole possession of all of said real estate except as may be herein stated. That this affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders, and its parties in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Section 614.17A 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 31st day of December, 1994.

James D. Carey  
James D. Carey, Affiant

Subscribed in my presence and sworn to (affirmed) before me by the said affiant this 31st day of December, 1994.



George I. Bown  
Notary Public  
in and for the State of Iowa

Please type or print names under signatures as per Code Section 336.2

#### ● 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

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

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

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, 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 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 thereon on the 3 day of January, 1995.

Betty M. Niblo Deputy  
Michelle Utsler Recorder.

EXHIBIT A

All that part of Cherry Street in the Original Town of Earlham, Madison County, Iowa, lying South of the South boundary line of Railroad Avenue, and North of the North line of the Right of Way of the Chicago, Rock Island and Pacific Railroad Company in said town,

AND

That part of the former Chicago, Rock Island and Pacific Railroad Company's depot grounds, as described in Quit Claim Deed recorded in Book 57, Page 626 and 627, Madison County Recorder's Office, lying south of Lot 1, Block 13, Original Town of Earlham, Madison County, Iowa, described as follows:

Beginning at the southeast corner of said Block 13;  
thence South 00 degrees 00 minutes 00 seconds East along the west line of vacated Cherry Street 89.78 feet to a point 50.00 feet radially distant from the centerline of the former Chicago, Rock Island and Pacific Railroad Company's main track;  
thence northwesterly a distance of 165.54 feet along a curve concave to the northeast and not tangent with the last described line, said curve has a radius of 5679.65 feet, central angle of 1 degree 40 minutes 12 seconds, chord bearing of North 77 degrees 58 minutes 54 seconds West, and is 50.00 feet radially distant from said main track centerline; thence North 00 degrees 17 minutes 13 seconds East 96.04 feet to the southwest corner of Lot 1 of said Block 13;  
thence South 75 degrees 50 minutes 29 seconds East along the southerly line of said Lot 1, 166.48 feet to the southeast corner of said Block 13 and the point of beginning.

Said tract contains 15,029 square feet.