



AFFIDAVIT OF POSSESSION

FILED NO. 2038
BOOK 42 PAGE 699
95 FEB 10 PM 2:47
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

COMPUTER
RECORDED
COMPARED

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

TO WHOM IT MAY CONCERN:

STATE OF IOWA

MADISON COUNTY, ss:

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

That James D. Carey

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

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 10th day of February, 19 95.

James D. Carey
James D. Carey, Affiant

Subscribed in my presence and sworn to (affirmed) before me by the said affiant this 10th day of February, 19 95.



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

Please type or print names under signatures as per Code Section 335.2

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 10 day of February, 19 95.

Michelle Utsler
Shaley H. Henry
Recorder.
Deputy

EXHIBIT A

Lot Three (3) in Block Thirteen (13) in the Original Town of Earlham, Madison County, Iowa, AND Part of the Chicago, Rock Island and Pacific Railroad Company's depot grounds in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Six (6), Township Seventy-seven (77) North, Range Twenty-eight (28) West in the Town of Earlham, Madison County, Iowa, more particularly described as follows: Beginning at the point of intersection of the east line of Maple Street with the northerly line of said Railroad Company's depot grounds, said northerly line of depot ground being 150 feet northerly of and parallel with the centerline of the said Railroad Company's main tract; thence southerly 106 feet, more or less, along the east line of Maple Street to a point in a line being 50 feet northerly of and parallel with the centerline of said Railroad Company's main track; thence southeasterly 313 feet, more or less, along last said parallel line to a point in the west line of Cherry Street; thence northerly 106 feet, more or less, along the west line of Cherry Street to a point in the northerly line of said depot grounds, thence northwesterly 313 feet, more or less, along the northerly line of said depot grounds to the point of beginning, EXCEPT, that part of the former Chicago, Rock Island and Pacific Railroad Company's depot grounds, described as follows: Beginning at the southeast corner of said Block 13; thence South $00^{\circ}00'00''$ 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 tract; 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 $1^{\circ}40'12''$, chord bearing of North $77^{\circ}58'54''$ West, and is 50.00 feet radially distant from said main tract centerline; thence North $00^{\circ}17'13''$ East 96.04 feet to the southwest corner of Lot 1 of said Block 13; thence South $75^{\circ}50'29''$ 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.