



### AFFIDAVIT OF POSSESSION

FILED NO. 1827

BOOK 41 PAGE 770

94 JAN 12 PM 4:15

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

TO WHOM IT MAY CONCERN:

COMPUTER  REC \$ 10.00  
RECORDED  AUD \$ 0.00  
COMPARED  R.M.F. \$ 1.00

STATE OF IOWA

MADISON COUNTY, ss:

The undersigned first being duly sworn ~~to affirm~~ upon oath deposes and states:

That Larry Beeler, as Trustee of the Trust Created U/W of Lucile Priest, Deceased,

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

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.

of the Trust Created  
That said Larry Beeler, as Trustee/U/W of Lucile Priest, Deceased,  
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.

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.

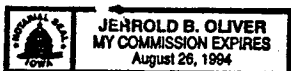
Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Dated this \_\_\_\_\_ day of January, 199 4.

Larry Beeler  
Larry Beeler, Affiant

Subscribed in my presence and sworn to ~~to affirm~~ before me by the said affiant this 11 day of January, 199 4.

Jerrold B. Oliver  
Notary Public  
in and for the State of Iowa



#### POWER OF ATTORNEY

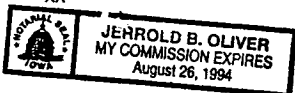
The undersigned, owner in possession of said property as above stated, hereby directs that this affidavit be filed of record and hereby appoints the County Recorder of the County wherein said land is situated as the authorized attorney in fact to file same.

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

Larry Beeler  
Larry Beeler, as Trustee of the, Owner in Possession  
Trust Created U/W of Lucile Priest, Deceased.

STATE OF IOWA, MADISON COUNTY, ss:

On this 11 day of January, 1994 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Larry Beeler, as Trustee of the Trust Created U/W of Lucile Priest, Deceased, 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 of the person and of the fiduciary.



Jerrold B. Oliver  
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 12 day of January, 199 4.

Michelle Utsler  
Michele Utsler, Recorder.  
Shirley H. Henry  
Deputy

Please type or print name(s) under signature as per Code Section 336.2

ATTACHMENT TO AFFIDAVIT OF POSSESSION  
BY LARRY BEELER, AS TRUSTEE OF THE TRUST CREATED  
U/W OF LUCILE PRIEST, DECEASED.

REAL ESTATE DESCRIPTION:

The Northeast Quarter ( $\frac{1}{4}$ ) of Section Twenty-three (23), in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, and also the South Half ( $\frac{1}{2}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) of the Northwest Quarter ( $\frac{1}{4}$ ) of Section Twenty-three (23), in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, also commencing 20 rods South of the Northeast Corner of the Northwest Quarter ( $\frac{1}{4}$ ) of Section Twenty-three (23), in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., running thence South 20 rods, thence West 80 rods, thence North 20 rods, thence East 80 rods to the place of beginning, containing 10 acres, also a certain tract commencing at the Northwest corner of the Northeast Quarter ( $\frac{1}{4}$ ) of the Northwest Quarter ( $\frac{1}{4}$ ) of Section Twenty-three (23), in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., and running thence East 20 rods, thence South 20 rods, thence West 20 rods, thence North 20 rods to the place of beginning, containing  $2\frac{1}{2}$  acres, except a tract of and described as follows: Beginning at the Northeast corner of the Northwest Quarter ( $\frac{1}{4}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) of Section Twenty-three (23), in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the North line of said Section Twenty-three (23), North  $90^{\circ}00'00''$  East 27.18 feet, thence South  $00^{\circ}50'43''$  West 115.93 feet, thence North  $88^{\circ}24'19''$  West 27.31 feet, thence South  $00^{\circ}07'50''$  West 772.95 feet, thence South  $89^{\circ}29'37''$  West 653.82 feet, thence North  $04^{\circ}31'31''$  West 214.08 feet, thence North  $00^{\circ}00'00''$  680.48 feet to the North line of said Section Twenty-three (23), thence along said North line, North  $90^{\circ}00'00''$  East 674.27 feet to the point of beginning, said parcel of land contains 13.773 acres, including 0.054 acres county road right of way,

771

That Marvin E. Dutton died on September 17, 1992, leaving a surviving spouse, Patricia Lou Dutton, and only two surviving children, Michael E. Dutton and Kim E. Goad, both of whom are also children of Patricia Lou Dutton.

That wherever in the chain of title to the above described property the names Marvin Dutton and Marvin D. Dutton appear, that wherever in the chain of title to the above described property the names Kim Dutton Goad, Kim E. Dutton Goad, Kim Elizabeth Goad, and Kim E. Goad appear, that wherever in the chain of title to the above described property the names Sandra Pazzi Turner and Sandra Pazzi appear, and that wherever in the chain of title to the above described property the names Patricia L. Dutton and Patricia Lou Dutton appear, they, respectively, refer to the same person.

EXHIBIT A