FILED NO. 1081 AFFIDAVIT OF POSSESSION BOOK 40 PAGE 493 TO WHOM IT MAY CONCERN: STATE OF COLORADO 91 DCT 25 PH 4: 00 1SS MICHELLE UTSLER MADISON COUNTY, 10 VA The undersigned first being duly sworn (or affirmed) upon oath deposes and states: Fee \$5.00 That Jeraid M. Boyle and Ava Boyle are now the record titleholders to the following described real estate, to-wit: Out Lots Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12) of W. O. Lee's Addition to the Town of Macksburg, Madison County, lowa, and the following described real estate, to-wit: Commencing at the Southwest corner of Out Lot Twelve (12) of W. O. Lee's Addition to the Town of Macksburg, running thence West 4 rods and 12 feet, thence North 70.465 rods, thence East 46.303 rods, thence South to the Southeast corner of Block Two (2) of Thomas and Mahala Kirkland's Addition to the Town of Macksburg, thence West to the Southeast corner of Out Lot Two (2) of said W. O. Lee's Addition, thence South to the Southeast corner of Out Lot Three (3) of said W. O. Lee's Addition, thence West to the Southwest corner of said Out Lot Three (3), thence South to the place of beginning, all in Madison County, Iowa. That said Jeraid M, Boyle and Ava Boyle 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. At the time of his death Claire M. Ballard, who died on the 25th day of February, 1980, owned the real estate legally described as: Commencing at the Southeast Corner of Outlot Twelve (12) of W. O. Lee's Addition to the Town of Macksburg, running thence West 216 feet, thence North 70.465 rods, thence East 46.303 rods, thence South to the Southeast Corner of Block Two (2) of Thomas and Mahala Kirkland's Addition to the Town of Macksburg, thence West to the Southeast Corner of Outlot Two (2) of W. O. Lee's Addition to the Town of Macksburg, thence South to the point of beginning, excepting therefrom the following: Commencing at the Southeast Corner of Out Lot Twelve (12) of W. O. Lee's Addition to the Town of Macksburg, running thence West 216 feet, thence North 702 feet, thence East 279.5 feet, thence South 118.5 feet, thence West 63.5 feet to the Southeast Corner of Outlot Two (2) of said W. O. Lee's Addition, thence South 601.5 feet to the point of beginning. At the time of his death Claire M. Ballard owned and occupied such premises as his homestead and such real estate constituted the homestead and lands adjacent thereto and/or used as a part thereof referred to in the Last Will and Testament of said Claire M. Ballard. At the time of her death Aline Ballard, who died on the 27th day of February, 1985 owned and occupied the premises described as: Out Lots Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12) of W. O. Lee's Addition to the Town of Macksburg, Madison County, Iowa, and the following described real estate, to-wit: Commencing at the Southwest corner of Out Lot Twelve (12) of W. O. Lee's Addition to the Town of Macksburg, running thence West 4 rods and 12 feet, thence North 70.465 rods, thence East 46.303 rods, thence South to the Southeast corner of Block Two (2) of Thomas and Mahala Kirkland's Addition to the Town of Macksburg, thence West to the Southeast corner of Out Lot Two (2) of said W. O. Lee's Addition, thence South to the Southeast corner of Out Lot Three (3) of said W. O. Lee's Addition, thence West to the Southwest corner of said Out Lot Three (3), thence South to the place of beginning, all in Madison County, lowa as her homestead. Said real estate constitutes the homestead lands adjacent thereto or used as a part htereof referred to in paragraph 2 of her Last Will and Testament. 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, Kelth W. Ballard, Afflant Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this  $\sqrt{2}$ any Public in and for said County **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. BOYLE Owner in Possession Jerald M COUNTY, SS: 25th <u>October</u> his 91 day of , 19 , before me, the undersigned, a Notary Public in Jerald M. ounty, in salt State, personally appeared Boyle to me known to be the Identical pers of mamed in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary