

Compared

FILED NO. 708  
BOOK 39 PAGE 372

AFFIDAVIT

89 OCT 10 PM 4: 12

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA

Fee \$5.00

STATE OF IOWA :  
                  : SS  
MADISON COUNTY :

Comes now Dean R. Nelson, who on oath deposes and states as follows:

That I am a practicing attorney in the City of Earlham, Madison County, Iowa, and that I am making this Affidavit in connection with the chain of title to the following described real estate, to-wit:

Lot Eight (8) in Block One (1) of B. F. Allen's Addition to the Town of Earlham, Madison County, Iowa.

That I am well and personally acquainted with Forrest J. Smith and Bessie M. Smith, husband and wife, who own the above described real estate as joint tenants with full rights of survivorship, and not as tenants in common.

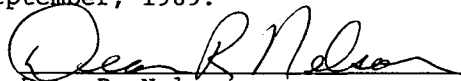
That in connection with the chain of title to the above described real property, the following matter appears:

There is shown a Power of Attorney from Bessie M. Smith to Gary M. Smith and Janice E. Saville, dated December 31, 1985, and filed of record September 6, 1988, in the Office of the Madison County Recorder in Miscellaneous Records 38, Page 510.

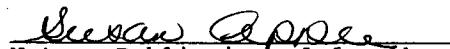
That I know of my own personal knowledge, that the Bessie M. Smith, who executed the Power of Attorney above described, is not the same person as Bessie M. Smith who is a co-owner of the real estate above described. That Bessie M. Smith, the co-owner of the real estate above described, does not know a Gary M. Smith and Janice E. Saville, and has never executed a Power of Attorney naming said parties as her attorney-in-fact. That only the names are similar and no Power of Attorney executed by Bessie M. Smith, the co-owner of the above described real property, exists in the chain of title.

This Affidavit is made for the sole and only purpose of clearing title to the real property herein described.

Dated this 27<sup>th</sup> day of September, 1989.

  
Dean R. Nelson  
Attorney at Law  
705 Main Street  
P.O. Box 370  
Earlham, IA 50072

Subscribed and sworn to before me and in my presence by the said Dean R. Nelson this 27<sup>th</sup> day of September, 1989.

  
Notary Public in and for the  
State of Iowa.



County