



AFFIDAVIT OF POSSESSION

FILED NO. 1255
BOOK 39 PAGE 443
89 DEC 15 PH 1:31
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$15.00

TO WHOM IT MAY CONCERN:

STATE OF IOWA

MADISON COUNTY } ss.

Compared

IND. ☒
REC. ☒
PAGE ☒

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

That Lamoine J. Day and Morgan Day

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

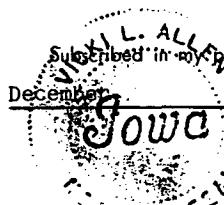
SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN

That said Lamoine J. Day and Morgan Day 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 B 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 15 day of December, 19 89



Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 15 day of December, 19 89

Lamoine J. Day
Lamoine J. Day, Affiant

Wick L. Allen
Notary Public in and for the State of Iowa

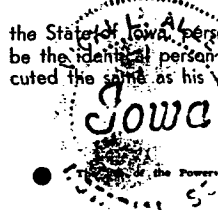
POWER OF ATTORNEY

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).

STATE OF IOWA, MADISON COUNTY, ss:

On this 15 day of December, 19 89, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Lamoine J. Day, 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.



Lamoine J. Day
Lamoine J. Day, Owner in Possession

Wick L. Allen
Notary Public in and for the State of Iowa

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 15 day of December, 19 89.

Mary E. Welty
Recorder.

Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Fifteen (15), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, except .44 acres, described as follows: Commencing at a point 16 rods East of the Southwest corner of said Section Fifteen (15), running thence North Ten (10) rods, thence West Seven (7) rods, thence South Ten (10) rods, thence East Seven (7) rods to the beginning, and except Commencing as a point of reference at the Southwest corner of Section Fifteen (15), Township Seventy-five (75) North, Range Twenty-nine (29) West of the Fifth Principal Meridian, Madison County, Iowa; thence North 90°00' East 958.3 feet along the South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Fifteen (15) to the point of beginning (this is an assumed bearing for purposes of this description only); thence continuing North 90°00' East 361.5 feet along said South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Fifteen (15) to the Southeast corner of said Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Fifteen (15); thence North 00°06' East 394.5 feet along the East line of said Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Fifteen (15); thence North 90°00' West 361.5 feet; thence South 00°06' West 394.5 feet to the point of beginning.

EXHIBIT A

COWBURN

The Warranty Deed from Forrest A. McCuen and Jacqueline L. McCuen to Lamoine J. Day and Morgan Day was dated March 8, 1983, and recorded March 21, 1983, in Deed Record 116 on page 531, reserving to the grantors the right to "receive all proceeds to be paid by Madison County, Iowa, for additional highway right of way to be acquired in connection with the county road running along the West side of said real estate". I have carefully investigated this matter and I know of my own personal knowledge that the highway right-of-way referred to was that granted in an Easement from Maurice D. Mitchell, Phyllis F. Mitchell, Morgan Day, Michel Day, Forrest McCuen, Jacqueline L. McCuen, and Lamoine J. Day, to Madison County, Iowa, recorded March 14, 1983, in Deed Record 119 on page 3, for which the full consideration of \$1,034.35 has long since been paid to Forrest A. McCuen and Jacqueline L. McCuen.

EXHIBIT B

CC-00000000