



# AFFIDAVIT OF POSSESSION

FILED NO. 838

TO WHOM IT MAY CONCERN:

BOOK 39 PAGE 713

STATE OF IOWA

90 OCT 16 PM 1:37

MADISON COUNTY }  
} ss.

*Company*

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA  
Fee \$ 5.00

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

That Marjorie G. Frey, Russell J. Frey, Richard C. Frey, Robert Newton, Richard Wayne Newton, and Marvin Keith Newton

are now the record titleholders of the following described real estate to-wit:

The North Half (1/2) of Lots Five (5) and Six (6), of Tidrick & Ward's Addition (also known as Ward & Tidrick's Addition) to the City of Winterset, Iowa

That said persons listed above 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.

I further state that I know of my own personal knowledge that Wayne Newton predeceased his wife, G. Pauline Newton, and that the assets of the estate of G. Pauline Newton were such that a Federal Estate Tax Return was not required or filed

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 11th day of October, 19 90

*[Signature of C. R. Bentz]*

C. R. Bentz Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 11th day of October, 19 90

*[Signature of Beth Flander]*

Beth Flander, Notary 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.

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

*[Signature of Russell J. Frey]*  
Russell J. Frey Co., Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 12th day of October, 19 90, before me, the undersigned, a Notary Public in and for

said County, in said State, personally appeared Russell J. Frey, 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.

*[Signature of John E. Casper]*

John E. Casper, Notary Public in and for said County

● 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 16 day of OCTOBER, 19 90

*[Signature of Mary E. Welty]*

Recorder.

Place type or print names under signatures as per Code Section 239.2 as amended