



# AFFIDAVIT OF POSSESSION

FILED NO. C 1613  
BOOK 38 PAGE 281  
1988 MAR 11 PH 4:13  
MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA  
Fee \$10.00

TO WHOM IT MAY CONCERN:

STATE OF IOWA

MADISON COUNTY } ss.

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

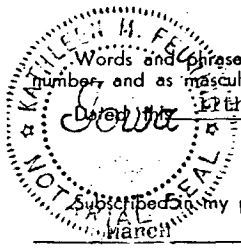
That Alma E. Lyman

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

Lot Two (2) of the Subdivision of Lots Seven (7) and Eight (8) in Valley View Addition to the City of Winterset, Madison County, Iowa

That said Alma E. Lyman is <sup>she</sup> now in complete actual and sole possession of all of said real estate except as may be herein stated, and that ~~they~~ <sup>she</sup> and ~~the~~ <sup>her</sup> predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1970, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by any one. 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 attached sheet)



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.

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 11th day of March, 1988

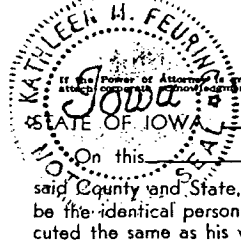
[Signature]  
Stephen Walters, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 11th day of March, 1988

[Signature]  
Kathleen Feuring, 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 created by a Corporation, attach corporate acknowledgment (Official Form No. 19).

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 11th day of February, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Alma E. Lyman, 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]  
Alma E. Lyman, Owner in Possession

[Signature]  
Kathleen M. Feuring, 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 11 day of March, 1988.

[Signature]  
Mary E. Welty

## AFFIDAVIT EXPLANATORY OF TITLE

That I, G. Stephen Walters, know of my own personal knowledge that "Dennis J. Neal" who was the grantee under the Warranty Deed from Herbert E. Reed and Dorothy L. Reed, dated October 29, 1983, and recorded in Town Lot Deed Record 51 on Page 456, and mortgagor under Mortgage to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, dated October 29, 1983, and recorded in Mortgage Record 139 on Page 18 is a completely different person from the debtor and defendant against whom the following-described judgments are held, who is "Dennis Dale Neal":

- a. Entry No. 53 shows Madison County Small Claims Judgment Number 4637, Small Claims Docket 8, Page 4637. This judgment is held by Bussanmas Oil and Gas, Ltd. against "Denny & Beverly Neal," and was rendered December 12, 1983 with interest at ten percent per annum from November 18, 1983, unpaid costs of \$2.00, a total judgment amount of \$940.53, and a balance due, apparently at the time of the continuation, of \$651.77.
- b. Entry No. 54 shows Madison County Small Claims Judgment Number 4644, Small Claims Docket 8, Page 4644. This judgment is held by Winterset Veterinary Clinic against "Denny Neal", and was rendered December 29, 1983 for \$70.88, plus interest at ten percent per annum from December 6, 1983, plus costs, which are shown unpaid to date in the amount of \$17.05.
- c. Entry No. 55 shows Madison County Small Claims Judgment Number 5249, Small Claims Docket 9, Page 5249. This judgment is held by Rolling Hills F.S., Inc., formerly M & W Farm Service, against "Dennis Neal", and was rendered November 18, 1985, for \$216.57, plus interest at the rate of ten per cent per annum from October 7, 1985, plus costs that are shown to be unpaid in the amount of \$67.82.
- d. Entry No. 56 shows Madison County Small Claims Judgment Number 5383, Small Claims Docket 9, Page 5383. This judgment is held by Jackson Pharmacy against "Dennis Neal", and was rendered April 16, 1986, for \$29.30, plus interest at the rate of ten per cent per annum from March 21, 1986, plus costs to date that are shown to be unpaid in the amount of \$25.90.
- e. Entry No. 57 shows Madison County Small Claims Judgment Number 5442, Small Claims Docket 9, Page 5442. This judgment is held by M. Young and Company, Inc. against "Dennis Neal", and was rendered June 27, 1986, for \$206.22, plus interest at the rate of ten per cent per annum from June 4, 1986, plus costs which are shown to be unpaid to date in the amount of \$23.50.