



AFFIDAVIT OF POSSESSION

Compare 1527

TO WHOM IT MAY CONCERN:

FILED NO. _____
BOOK 38 PAGE 264

STATE OF IOWA

IND. REC. PAGE

1988 MAR -3 AM 8:57

MADISON COUNTY } ss.

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

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

Fee \$10.00

That KMG Agri-Services, Inc.

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

The West 278 feet of all that part of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) which lies North of the centerline of the right of way of the C. B. & Q. R.R. of Section Fifteen (15) all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., except a 25 foot wide tract of land more particularly described as a 25 foot wide strip centered on the following-described centerline: Commencing at a point located on the West line of said Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) located 8.4 feet South of the Southeast corner of Out Lot Five (5) Town of Truro, Iowa, thence North 88 degrees, 55' East 278 feet to the East line of the above-described tract.

That said

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; that at the time of the execution of a Financing Statement from Richard A. Musal & Kenneth D. Gray to Bankers Trust Co., recorded August 6, 1986, in U.C.C. Record 3 on page 241 in the Office of the Madison County Recorder, covering "Portable buildings, fixtures, & grain hauling equipment located at KMG Agri-Services, Truro, Iowa facility", and describing the above-described real property, neither Richard A. Musal nor Kenneth D. Gray held any personal title to the above-described real property or fixtures located thereon, but were simply executing the Financing Statement as officers or agents of KMG Agri-Services, Inc., on behalf of KMG Agri-Services, Inc.

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.

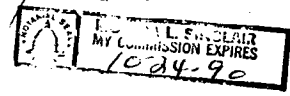
Dated this 29th day of February 1988

Kenneth D. Gray
Kenneth D. Gray, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 29th day of

February 1988

Monica R. Swilley
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.

KMG Agri-Services, Inc.

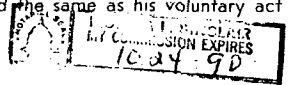
If the Power of Attorney is granted by a Corporation attach corporate acknowledgment (Official Form No. 12).

By: Kenneth D. Gray VP, Sec.
Kenneth D. Gray, Vice Pres-Owner in Possession
ident and Secretary

STATE OF IOWA, Polk COUNTY, ss:

On this 29th day of FEBRUARY 1988 before me, the undersigned, a Notary Public in and for

the State of Iowa, personally appeared KENNETH D. GRAY, V.P. SECY, KMG AGRISERVICES, INC 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.



Monica R. Swilley
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 3 day of MARCH 1988.

Mary E. Welty
Recorder.

Authority: Tisdell v. Hanes
248 Iowa 43 (1957)
82 NW(2d) 110.

FOR THE LEGAL EFFECT OF THE USE
OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, MADISON COUNTY, ss:

On this 29th day of FEBRUARY, 19 88, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Kenneth D. Gray he is ~~and~~ ~~XXXXXXXXXXXXXXXXXXXX~~ to me personally known, who, being by me duly sworn, did say that ~~he is~~ ~~the~~ Vice President and Secretary respectively of the corporation executing the foregoing instrument; that (no seal has been procured by) (the seal affixed thereto is the seal of) the corporation; that the instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and Kenneth D. Gray and _____ acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by them and as the fiduciary voluntarily executed.



MORLEY L. SINCLAIR
MY COMMISSION EXPIRES
10-24-90

Morley L. Sinclair
Notary Public in and for said State.

IOWA STATE BAR ASSOCIATION
Official Form No. 180 (Trade-Mark Registered, State of Iowa, 1967)
This Printing January, 1986

(Section 558.39, Code of Iowa)

Acknowledgement: For use in the case of a corporate fiduciary