3

IOWA STATE BAR ASSOCIATION
Official Form No. 27A. (Short Form) (Trade-Mark Registered. State of Iowa. 1967)

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

AFFIDAVIT OF POSSESSION

Compared

2296

IND ✓
REC ✓
PAGE ✓

FILED NO. 2296
BOOK 35 PAGE 493

1985 JUN 26 AM 8:02

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee $15.00

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 Dale Faux and Sheryl Faux

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

See the attached and incorporated Exhibit "A" real estate description.

That said Dale Faux and Sheryl Faux 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 the attached and incorporated Exhibit "B" Affidavits of Identity.

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 25th day of June, 1985

Dale Faux
Dale Faux, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 25th day of June, 1985.

G. Stephen Walters
G. Stephen Walters, Notary Public in and for the State of Iowa

G. STEPHEN WALTERS 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).

Dale Faux
Dale Faux, Owner in Possession

STATE OF IOWA, MADISON COUNTY, ss:

On this 25th day of June, 1985, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dale Faux, 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.

G. Stephen Walters
G. Stephen Walters, Notary Public in and for the State of Iowa

STEPHEN WALTERS Notarial Seal Iowa

The Jurat for 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 26 day of JUNE, 1985.

Mary E. Welty
Recorder.

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

Please type or print names under signatures as per Code Section 335.2

EXHIBIT "A"

The Northeast Quarter (¼) of the Southwest Quarter (¼) and the East Half (½) of the Southeast Quarter (¼) of the Southwest Quarter (¼) of Section Two (2), and all that part of the Northeast Quarter (¼) of the Northeast Quarter (¼) of Section Eleven (11) which lies Northwest of the right of way of the Chicago Great Western Railroad Company and containing 6.54 acres more or less, and the following described tract of land, to-wit: - Commencing 721 feet East of the Northwest corner of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section Eleven (11), and running thence East to the Northeast corner of the Northwest Quarter (¼) of the Northeast Quarter of said Section, thence South to the right of way of said Chicago Great Western Railroad Company, thence in a Southwesterly direction along the Northwesterly line of said right of way to a point approximately 334.3 feet South of the North line of the Southwest Quarter (¼) of the Northeast Quarter (¼) of said Section, thence West to the West line of said last mentioned 40-acre tract, thence North 66.35 feet, thence West 593.6 feet, thence North to the point of beginning, and the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Eleven (11); all in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

EXHIBIT "B"

Affidavits of Identity

That wherever in the chain of title to the above-described property the names Dale Faux, L. Dale Faux, Larry D. Faux and Larry Faux appear, and wherever in the chain of title to the above-described property the names Sheryl Faux and Sheryl A. Faux appear, they, respectively, refer to the same person.

That wherever the following legal description, or parts thereof, appears in the chain of title to the above-described property, the following legal description, or parts thereof cumulatively, is intended to, and does, describe the same real property as the above legal description:

The Northeast Quarter of the Southwest Quarter (SE¼ SW¼) and the East Half of the Southeast Quarter of the Southwest Quarter (E½ SE¼ SW¼) of Section Two (2); and a tract of land described as follows: - Commencing 721 feet East of the Northwest corner of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section Eleven (11), running thence East 715.06 feet, thence South 1650 feet, thence West 122.2 feet, thence North 68 feet, thence West 593.6 feet, thence North to the place of beginning; also a tract commencing 122.2 feet East and 66 feet North of the Southwest corner of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Eleven (11), running thence East 110 feet, thence South 24 rods, thence West 110 feet, thence North to the place of beginning, in Section Eleven (11); all in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

and

All that part of the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) of Section Eleven (11) which lies Northwest of the right of way of the Chicago Great Western Railroad Company and containing 6.54 acres more or less, and the following described tract of land, to-wit: - commencing 122.2 feet East of the Northwest corner of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Eleven (11) and running thence East to the Northeast corner of said 40-acre tract, thence South to the right of way of said Railroad Company, thence in a Southwesterly direction along the Northwesterly line of said right of way to a point approximately 334.3 feet South of the North line of the Southwest Quarter of the Northeast Quarter (SW¼ NE¼) of said Section, thence West to a point 232.2 feet East of the West line of said last mentioned 40-acre tract, thence North 24 rods, thence West 110 feet, thence North to the point of beginning, all in Section Eleven (11), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

and

The Southwest Quarter of the Northwest Quarter (SW¼ NW¼) of Section Eleven (11), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madsion County, Iowa.