Compared

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

FILED NO. 293
BOOK 34 PAGE 299
1982 SEP -2 AM 9:46
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $6.00

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 HELEN MAHER and SHIRLEY A. WEBSTER, TRUSTEE UNDER THE WILL OF LEO L. BRAZZLE, DECEASED,

are now the record titleholders of the following described real estate situated in Madison County, to-wit: West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$); the North Half ($N\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); and the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$), all in Section 10, Township 77 North, Range 26, West of the 5th P.M., excepting therefrom a tract commencing at the Southeast Corner of the West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 10, running thence North 822 feet along the East line of said 80-acre tract, thence West 265 feet, thence South 822 feet to the South line of said 80-acre tract, thence East 265 feet along the South line of said 80-acre tract to the point of beginning.

That said HELEN MAHER and SHIRLEY A. WEBSTER, TRUSTEE,
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, Helen Maher, further state that I am a granddaughter of Edward Brazzle, who acquired the said $W\frac{1}{2}$ $NW\frac{1}{4}$ Sec. 10-77-26 by Warranty Deed recorded in Deed Record Book 44, page 533, on April 23, 1908. I have been familiar with the ownership and possession of said real estate for the past 40 years. The West 20 feet of the said $W\frac{1}{2}$ $NW\frac{1}{4}$ mentioned in the mortgage executed by Edward Brazzle and wife recorded in Mortgage Record Book 63, page 57, being referred to as "conveyed for highway purposes", refers to a strip which was used solely for access to the country schoolhouse by neighborhood children residing north of the said 80-acre tract; that said schoolhouse has been closed and said strip abandoned for more than 20 years. For more than the past 20 years, said strip has been fenced in with the remainder of said 80-acre tract and has not been used by any person.

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 31 day of August, 19 82

X Helen Maher
Helen Maher, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 31 day of August, 19 82.

Wanda Lohr
Wanda Lohr, Notary Public in and for the State of Iowa

NOTARIAL SEAL

● 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.

Shirley A. Webster, Trustee U/W of Leo L. Brazzle, Deceased.

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

X Helen Maher
Helen Maher, Owner in Possession

STATE OF IOWA, MADISON COUNTY, ss:

On this 31 day of August, 19 82, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Helen Maher, 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.

WANDA LOHR Iowa NOTARIAL SEAL

Wanda Lohr

Wanda Lohr, 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 2 day of September, 1982.

Mary E. Welty
Recorder.

Authority: Teadell v. Hanes
248 Iowa 43 (1957)
82 NW(2d) 119.

*Executor, Administrator, Guardian, Conservator, Trustee, Referee, Commissioner, or Receiver

STATE OF IOWA, County of MADISON, ss.

On this 31 day of August, 19 82, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Shirley A. Webster

to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he, as such fiduciary, executed the same as the voluntary act and deed of himself and of such fiduciary.

IOWA NOTARIAL SEAL

Wanda Lohr

Wanda Lohr, Notary Public in and for the State of Iowa

● Use space for corporate fiduciary. Insert official titles with names.

S. Webster