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

IND ✓
REC ✓
PAGE ✓

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 LLOYD W. EYERLY and GERALD THOMAS, EXECUTORS OF THE LAST WILL AND TESTAMENT OF EMERSON EYERLY, DECEASED,

are now the record titleholders of the following described real estate situated in Madison County, to-wit: Northwest Quarter ($NW\frac{1}{4}$); Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); a tract described as: All that part of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) lying South and West of a line drawn diagonally from the Northwest Corner thereof to the Southeast Corner thereof; a strip of land described as: Commencing at the Southwest Corner of the $E\frac{1}{2}$ of $NW\frac{1}{4}$ running thence South 2 rods, thence diagonally in a straight line to a point 4 rods South of the Southeast Corner of the $E\frac{1}{2}$ of $NW\frac{1}{4}$, thence North 4 rods to the Southeast Corner of the $E\frac{1}{2}$ of $NW\frac{1}{4}$, thence West to the place of beginning, all being in Section 14, Township 75 North, Range 27 West of the 5th P.M.;

That said Executors 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.

303

FILED NO.
BOOK 34 PAGE 629

1983 AUG 10 PM 4:00

Compared

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $3.00

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 10 day of August, 19 83

Gerald Thomas Executor

Lloyd W. Eyerly Executor, Affiant s

Subscribed in my presence and sworn to (or affirmed) before me by the said affiants this xxxxxxxxxxxxxxxx day of xxxx as executors, this 11 day of May, 1983.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Shirley A. Webster, 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.

Gerald Thomas

Lloyd W. Eyerly

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

Lloyd W. Eyerly, Owner in Possession

STATE OF IOWA, MADISON COUNTY, ss:

On this 10 day of ~~May~~ August, 19 83, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Gerald Thomas and Lloyd W. Eyerly, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that ~~he~~ they ~~executed~~ the same as ~~his~~ their voluntary act and deed. of themselves and as such fiduciaries. as such fiduciaries, executed

Shirley A. Webster, 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.

SHIRLEY A. WEBSTER
MY COMMISSION EXPIRES
September 30, 1984

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 10 day of AUGUST, 19 83.

Mary E. Welty Recorder.

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