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

TO WHOM IT MAY CONCERN:

Compared

FILED NO. 789
BOOK 34 PAGE 376
1982 DEC -8 PM 4:22
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $6.00

STATE OF IOWA }
MADISON COUNTY } ss.

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

That Clara I. Martens and W. E. Martens

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

See attached Exhibit "A"

That said Clara I. Martens and W. E. Martens 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 wherever in the chain of title to the above-described property any of the three legal descriptions in the attached Exhibit "A-1" appear, they refer to the same property, which is the property described in the first of the three descriptions in the attached Exhibit "A-1".

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 8th day of December, 1982.

W. E. Martens, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 8th day of December, 1982.

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

G. STEPHEN WALTERS Iowa NOTARIAL

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).

W. E. Martens, Owner in Possession

STATE OF IOWA, MADISON COUNTY, ss:

On this 8th day of December, 1982, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared W. E. Martens, 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, Notary Public in and for the State of Iowa

G. STEPHEN WALTERS Iowa NOTARIAL

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 8 day of December, 1982.

Mary E. Welty, Recorder.

Authority: Tonioli v. Hanes
248 Iowa 48 (1957)
82 NW(2d) 119.

EXHIBIT "A"

The Southeast Quarter (¼) of the Southwest Quarter (¼) and the South Half (½) of the Southeast Quarter (¼) of Section Thirteen (13), except a tract commencing on the center line of public highway #169 at a point 663.7 feet North of the Southeast corner of the Southwest Quarter (¼) of the Southeast Quarter (¼) of said Section, thence North 89°20' West, 266 feet, thence Southerly at right angle to preceding course 164.7 feet, thence Easterly 268 feet to center line of said public highway, thence Northerly along said center line 168.3 feet to point of beginning, containing 1.02 acres more or less; and the Northwest Quarter (¼) of the Northeast Quarter (¼) and the East Half (½) of the Northwest Quarter (¼) of Section Twenty-four (24); in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M.; and a tract of land off the West side of the Fractional Southwest Quarter (¼) of the Southwest Quarter (¼) of Section Eighteen (18), in Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, being 46 rods and 8 feet wide on the South end and 46 rods and 15 feet wide on the North end thereof.

EXHIBIT "A-1"

A tract of land off the West side of the Fractional Southwest Quarter (¼) of the Southwest Quarter (¼) of Section Eighteen (18), in Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, being 46 rods and 8 feet wide on the South end and 46 rods and 15 feet wide on the North end thereof;

or

The West 23 Acres of the Southwest Fractional Quarter (¼) of the Southwest Fractional Quarter (¼) of Section Eighteen (18) in Township Seventy-seven (77) North, Range Twenty-seven (27) West of the Fifth P.M., Madison County, Iowa;

or

The West 23.35 Acres of the Southwest Quarter (¼) of the Southwest Quarter (¼) of Section Eighteen (18) in Township Seventy-seven (77) North, Range Twenty-seven (27) West of the Fifth P.M., Madison County, Iowa.