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

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# AFFIDAVIT OF POSSESSION

Compared

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BOOK 32 PAGE 233
1978 NOV -8 PM 4:15
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 3 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 James A. Scoles and Jeanette I. Scoles

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

A tract of land commencing at a point 272.3 feet South of the North Quarter corner of Section Twenty-two (22) in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, running thence East 414.6 feet, thence South, 89° 00' West 414.7 feet to the West line of the North Half (½) of the Northeast Quarter (¼) of said Section Twenty-two (22), thence North 424.8 feet to the point of beginning and containing 4.0088 a-res including 0.3387 acres of county road right-of-way

That said James A. Scoles and Jeanette I. Scoles 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 esaate, 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 further state that I know of my own personal knowledge that the property described in the special appraisement by the Iowa Inheritance Tax Appraisers dated June 8, 1978, as follows: "approximate four (4) acre plat in the N½, NE¼, Sec. 22-76-28, Madison County, Iowa, as set forth and described in survey by Vance and Hochstetler, Consulting Engineers," is one and the same property as the above-described real estate.

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 2 day of Nov. 1978

Earl Williams
Earl Williams, Affiant.

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 2 day of Nov. 1978

JERROLD B. OLIVER
MY COMMISSION EXPIRES
September 30, 1979

Jerrold B Oliver
Notary Public in and for the State of Iowa

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

## 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).

Earl Williams
Earl Williams, executor of will of Ida L. Pond, deceased, Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 2 day of Nov. 1978, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Earl Williams, executor of will of Ida L. Pond, 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.

JERROLD B. OLIVER
MY COMMISSION EXPIRES
September 30, 1979

Jerrold B Oliver
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 8 day of November 1978

Mary E. Welty
Recorder.

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