IOWA STATE BAR ASSOCIATION
Official Form No. 27B. (Long 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. 1164
BOOK 32 PAGE 292
1978 DEC -5 PM 1:50
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 T. Scrivner

are now the record titleholders of the following described real estate to-wit: 2 acres in the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section Two (2) Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., more particularly described as: Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 2, Township 75 North, Range 26 West of the 5th P.M. thence West 264 feet thence South 330 feet, thence East 264 feet thence North 330 feet to the point of beginning subject to road right of way

That said James T. Scrivner are now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1940, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by any one. 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 at the time of his death Albert E. Scrivner whose estate was probated in the Iowa District Court for Madison County as Probate No. 7491 did not own or possess any real estate in the Northeast Quarter of the Southeast Quarter of Section 2, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa except the two acre parcel described above.

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 4th day of December, 1978.

Leonard M. Flander, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 4th day of December, 1978.

Beth Flander
Beth Flander, Notary Public in and for said County

BETH FLANDER NOTARIAL SEAL 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.

James T Scrivner
James T. Scrivner, Owner in Possession

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

STATE OF IOWA, Madison COUNTY, ss:

On this 4th day of December, 1978, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared James T. Scrivner, 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.

Beth Flander
Beth Flander, Notary Public in and for said County

BETH FLANDER NOTARIAL SEAL 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 5 day of December, 1978.

Mary E. Welty
Recorder

Please type or print names under signatures as per Sec. 335.2 Code of Iowa as amended

Authority: Tendell v. Hanes
248 Iowa 742 (1957)
82 NW(2d) 119.