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. 1394
BOOK 32 PAGE 317
1979 JAN 10 PM 4:44
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 Ronald D. Livengood and Cynthia J. Livengood, formerly Cynthia J. Childs,

are now the record titleholders of the following described real estate to-wit: All that part of the Northwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-nine (29) lying South and West of the North Branch, containing 10 acres more or less; and a tract beginning at the South Quarter (¼) corner of Section Twenty-nine (29), thence North 89°05'00" West 426.35 feet along the South line of said Section, thence North 01°03'40" East 771 feet to the centerline of North Branch, thence downstream Northerly along said centerline to the North line of the Southeast Quarter (¼) of the Southwest Quarter (¼) of said Section, thence East along said North line a distance of 515 feet to the Northeast corner of the Southeast Quarter (¼) of the Southwest Quarter (¼) of said Section, thence South a distance of 1310.25 feet to the point of beginning, subject to road easement along the South side thereof and containing 12.95 acres, more or less; (See attached) Ronald D. Livengood and Cynthia J. Livengood

That said 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. Wherever the names Cynthia J. Childs and Cynthia J. Livengood appear in the chain of title to the above described real estate, they refer to one and the same person who is Cynthia J. Livengood. In addition, wherever an unnamed creek and North Branch River appear in the chain of title to the above described real estate, they refer to one and the same river which is North Branch River. Wherever in the chain of title to the above described real estate reference is to a public highway is made, this public highway is located entirely South of the above described real estate and no part of said real estate is South of the public highway. (continued on attached sheet)

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 9th day of January, 19 79

Ronald D Livengood
Ronald D. Livengood

Cynthia J. Livengood
Cynthia J. Livengood, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 9th day of January, 1979.

NOTARIAL SEAL IOWA
ALAN E. COLLET

Alan E Collet
Notary Public in and for said County

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.

Ronald D Livengood
Ronald D. Livengood

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

Cynthia J. Livengood
Cynthia J. Livengood, Owner in Possession

STATE OF IOWA, POLK COUNTY, ss:

On this 9th day of January, 19 79, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Ronald D. Livengood and Cynthia J. Livengood 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.

NOTARIAL SEAL IOWA
ALAN E. COLLET

Alan E Collet
Notary Public in and for said County

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 11 day of January, 19 79.

IND. ✓
REC. ✓
PAGE

Mary E Welty
Recorder.

Authority: Tendell v. Homes
248 Iowa 43 (1957)
83 NW(2d) 119

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

Real Estate Description (continued)

all in Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.

In addition, the Affidavit of Possession executed by Wilma Baker and Dwight L. Baker on June 28, 1977, and filed for record on August 5, 1977, in Miscellaneous Record Book 31 at page 553 was executed by them in their capacity as Executors of the Estate of Roland S. Baker. The record title holder of the real estate described above at the time of execution of this Affidavit was Roland S. Baker, who was then deceased. The affidavit was in error in stating that Wilma Baker and Dwight L. Baker were the record title holders to the real estate therein described either individually or in their capacity as Executors of the Roland S. Baker Estate. The affiant has acquired and now holds record title to the above described real estate from the Estate of Roland S. Baker and makes this Affidavit to correct and supersede this prior Affidavit of Possession described herein.