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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Compared

AFFIDAVIT OF POSSESSION

FILED NO 138
BOOK 37 PAGE 532

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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee $2.50
1 pg

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 Francis Earl Rhoads, also known as Earl Rhoads; Glenn G. Silverthorn and Philip H. Silverthorn

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 on the West line of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Thirteen (13) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, 16.81 chains, South of the Northwest corner thereof, running thence East 2.40 chains, thence North, 54-3/4° East, 6.90 chains, thence North, 25° West, 1.90 chains to the center of Middle River, thence down the center of said river North, 68° East, 8 chains, thence North, 89° East, 5.17 chains to the East line of said 40-acre tract, thence South 12.10 chains to the Southeast corner thereof, thence West on the South line thereof to the Southwest Corner of said 40-acre tract, thence North on the West line thereof to the place of beginning.

That said Francis Earl Rhoads, Glenn G. Silverthorn and Philip H. Silverthorn 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. That wherever in the chain of title to the above-described real estate, any part of the survey line is described by rods rather than by chains, the use of rods was scrivener's error, and the original survey line was described throughout by chains and not by rods.

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 22nd day of July, 19 77

E. Francis Earl Rhoads
Francis Earl Rhoads, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 22 day of July, 19 77.

Shirley A. Webster
, Notary Public in and for the State of Iowa

SHIRLEY A. WEBSTER
Notary Public in and for the State of Iowa
My Commission Expires September 30, 1978

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).

E. Francis Earl Rhoads
Francis Earl Rhoads, Owner in Possession

STATE OF IOWA, MADISON COUNTY, ss:

On this 22nd day of July, 19 77, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Francis Earl Rhoads, 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.

Shirley A. Webster
, Notary Public in and for the State of Iowa

SHIRLEY A. WEBSTER
Notary Public in and for the State of Iowa
My Commission Expires September 30, 1978

● 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 25 day of July, 19 77.

Mary E Welty
Recorder.

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