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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

IND. ✓
REC. ✓
PAGE ✓

FILED NO. 692
BOOK 31 PAGE 590
Compared
1977 OCT -6 PM 3:19
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
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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 TERRY E. HARRELL and ANTONIA HARRELL

are now the record titleholders of the following described real estate situated in Madison County, to-wit: Commencing at the Southwest corner of the Northeast Quarter (¼) of Section Twenty-eight (28), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence North 994.60 feet along the quarter section line, thence South 81° 11' East 1,345.70 feet along the centerline of a county road, thence South 00° 18' West 17.60 feet to the point of beginning; thence North 55° 30' East 264.30 feet, thence North 04° 15' East 196.60 feet, thence North 88° 43' West 230.60 feet, thence South 00° 18' West 350.90 feet along the west line of the Southeast Quarter (¼) of the Northeast Quarter (¼) of said Section Twenty-eight (28) to the point of beginning, containing 1.3938 acres, and situated in said Southeast Quarter (¼) of the Northeast Quarter (¼); that said TERRY E. HARRELL AND ANTONIA HARRELL 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.

This affidavit of possession is subject to/the perpetual easement for road purposes, the obligation to pay or provide for the maintenance of the said road, and the obligation to erect and maintain fence as described in the real estate contract between Elsie M. Satterlee and Howard E. Satterlee, sellers, and Byrle D. Algoe and Beverly J. Algoe, buyers, dated March 23, 1973, and recorded in deed record 103 on page 56 in the office of the Madison County Recorder. Wherever in the chain of title to the above described property the names Elsie Mae Satterlee, Elsie Algoe Satterlee and Elsie M. Satterlee appear, they, respectively, refer to one and the same person.

Satterlee's obligations under

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 6th day of October, 1977.

x Terry E. Harrell
Terry E. Harrell, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 6th day of October, 1977.

Verda Orr
Verda Orr, Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA VERDA ORR

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.

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

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

x Terry E. Harrell
Terry E. Harrell, Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 6th day of October, 1977, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Terry E. Harrell, 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.

Verda Orr
Verda Orr, Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA VERDA ORR

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 thereof on the 7 day of October, 1977.

Mary E. Welty
Recorder.

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