12/23/77 c:mp 2.50

IOWA STATE BAR ASSOCIATION
Official Form No. 27A. (Short Form) (Trade-Mark Registered, State of Iowa, 1957)

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

AFFIDAVIT OF POSSESSION

1275

TO WHOM IT MAY CONCERN:

FILED NO. _____
BOOK 31 PAGE 661
1978 JAN -3 PM 2:40
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
fee $2.50 pg

STATE OF IOWA
MADISON COUNTY } ss.

The undersigned first being duly sworn (or affirmed) upon oath deposes and states:

That Tom Cunningham is

are now the record titleholders of the following described real estate to-wit:

North Half of the Southwest Quarter; Northwest Fractional Quarter; and a tract of land described as follows: Commencing at the Northwest corner of the Northeast Quarter of Section 5 and running thence East 12 rods, thence South 26½ rods, thence East about 2 rods to a branch known as Hart Branch, thence up said branch in a Southeasterly direction about 100 rods to a slough or ravine, thence up said ravine in a Southwesterly direction to the intersection of the South line of said Northeast Quarter, thence West on said line to the Southwest corner of said Northeast Quarter, thence North to the place of beginning, all in Section 5, Township 74 North, Range 26, West of the Fifth P. M., Madison County, Iowa.

That said Tom Cunningham is

~~now~~ 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.

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 31st day of December 1977

Tom Cunningham, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 31st day of December 1977

Mary Jane Benoit, 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).

Tom Cunningham, Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 31st day of December, 1977 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Tom Cunningham, 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.

Mary Jane Benoit, 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 3 day of January, 1978.

Mary E. Welty, Recorder.

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

MISC. REC. 31

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H-5679

27A. AFFIDAVIT OF POSSESSION (SHORT FORM)