IND. ✓
REC. ✓
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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

j

AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN:

FILED NO. 1745
BOOK 31 PAGE 741
1978 MAR -3 PM 4:05
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $2.50
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STATE OF IOWA
MADISON COUNTY } ss.

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

That Tom Cunningham, a/k/a Thomas Dwight Cunningham, and Neva Cunningham, husband and wife,

are now the record titleholders of the following described real estate situated in Madison County, to-wit: The Northeast Quarter (¼) of the Northwest Quarter (¼) of Section Twenty-seven (27) and the Southwest Quarter (¼) of the Southeast Quarter (¼) and the West Half (½) of the Northwest Quarter (¼) of the Southeast Quarter (¼) and all that part of the East Half (½) of the Southwest Quarter (¼) which lies Easterly of the right of way of the Chicago Great Western Railway Company, of Section Twenty-two (22), and the South Half (½) of the Southeast Quarter (¼) of Section Thirty-two (32) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

That said Tom Cunningham, a/k/a Thomas Dwight Cunningham, and Neva Cunningham 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 property the names Evelyn Hogue and Evelyn J. Oster appear, wherever in the chain of title to the above described property the names Lillian Ann Hann and Lillian Ann Hann McBride appear, wherever in the chain of title to the above described property the names Floyd R. Imes and Floyd R. Imes, Jr. appear, and wherever in the chain of title to the above described property the names Tom Cunningham and Thomas Dwight Cunningham appear, they, respectively, refer to one and the same person.

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 3rd day of March, 19 78

Tom Cunningham
Tom Cunningham, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 3rd day of March, 19 78

Mary Jane Benoit
Mary Jane Benoit, Notary Public in and for the State of 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.

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

Tom Cunningham
Tom Cunningham, Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 3rd day of March, 19 78, 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
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 March, 19 78

Mary E. Welty
Recorder.

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

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