IOWA STATE BAR ASSOCIATION
Official Form No. 27B. (Long 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. 337
BOOK 30 PAGE 384
1974 MAR -1 PM 1:54
MARY E. WELTY 1 pg
RECORDER
MADISON COUNTY, IOWA
Fee #2.50 ALD

TO WHOM IT MAY CONCERN:

STATE OF IOWA
DALLAS COUNTY } ss.

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

That John Philip Klein and Donna Lorraine Klein, husband and wife

are now the record titleholders of the following described real estate, situated in Madison County, Iowa, to-wit:

The East Half of the Northwest Quarter (E½ NW¼) and that part of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Seventeen (17) lying West of the middle of the channel of Grand River, in Section 17 in Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa

That said John Philip Klein and Donna Lorraine Klein, husband and wife are now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1940, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by any one. 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.

I further depose and state that wherever the name Jack Klein appears in legal documents or the abstract pertaining to the above described real estate the reference is to one and the same identical person as John Philip Klein.

I further depose and state that wherever the name Donna Klein appears in legal documents or the abstract pertaining to the above described real estate the reference is to one and the same identical person as Donna Lorraine Klein.

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 28th day of February, 19 74.

Donna Lorraine Klein
DONNA LORRAINE KLEIN

John Philip Klein
John Philip Klein, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 28th day of February, 19 74.

Robert E. Frush
ROBERT E. FRUSH, Notary Public in and for said County

Please type or print names under signatures as per Sec. 335.2 Code of Iowa as amended

● 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.

Donna Lorraine Klein
DONNA LORRAINE KLEIN

John Philip Klein
John Philip Klein, Owner in Possession

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

STATE OF IOWA, DALLAS COUNTY, ss:

On this 28th day of February, 19 74, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared John Philip Klein and Donna Lorraine Klein, husband and wife, 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.

Robert E. Frush
ROBERT E. FRUSH, 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 1 day of March, 19 74.

Mary E. Welty
Mary E. Welty, Recorder

Authority: Tendell v. Hanes
248 Iowa 743 (1957)
88 NW(2d) 110.