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

Compared

AFFIDAVIT OF POSSESSION

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BOOK 30 PAGE 711
1975 SEP -5 AM 10: 18
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $2 50
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TO WHOM IT MAY CONCERN:

STATE OF IOWA
CLARKE COUNTY } ss.

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

That Philip C. Caudle

is

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

That part of the West Half of the Southwest Quarter of the Northwest Quarter (W½ SW¼ NW¼) which is located in the Northeast corner thereof and is a tract approximately Eight (8) rods North and South and Eleven (11) rods Four (4) feet Two (2) inches East and West, on which a spring is located, in Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.

That said Philip C. Caudle

is ~~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 I have personally had the continuous, actual, visible, open, notorious, exclusive, hostile and un-questioned possession, care, custody and control of the above described real estate from prior to March 2, 1961 to January 15, 1975 and that I own fee simple title 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 21st day of August, 19 75.

X Philip C. Caudle, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 21st day of August, 19 75.

L. P. Van Werden
L. P. Van Werden Notary Public in and for the State of Iowa

L. P. VAN WERDEN NOTARY PUBLIC

● 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).

X Philip C. Caudle, Owner in Possession

STATE OF IOWA, Clarke COUNTY, ss:

On this 21st day of August, 19 75, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Philip C. Caudle, 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.

L. P. Van Werden
L. P. Van Werden 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 5th day of September, 19 75.

Mary E. Welty
Recorder
Shirley A. Henry
Deputy

Authority: Tesdell v. Hanes
248 Iowa 748 (1957)
83 NW(2d) 118.

The Code, 1973, Sections 614.17 to 614.20 inclusive.