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

AFFIDAVIT OF POSSESSION

FILED NO. 986
BOOK 29 PAGE 313

1971 JUL 19 PM 3:56

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 4 2pgs.

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 Willard C. England and Jerrie L England, husband and wife, as joint tenants, not as tenants in common, with full right of survivorship.

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

The Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) in Township Seventy seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

That said Willard C. England and Jerrie L England 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 estate, its titleholders and its parties in possession; and 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 said Willard C. England and Jerrie L England, being first duly sworn on oath depose and say that on February 22, 1937, the County Treasurer issued a tax deed to W. T. Guiher for the following described real estate:

The Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

That said tax deed was filed for record in the office of the County Recorder of Madison County, Iowa, on February 22, 1937, and appears in the records of that office in Madison County, Iowa, as recorded in tax deed record 2 on page 412 of the deed records and that Willard C. England and Jerrie L England are now in possession of such real estate and claim title to the same by virtue of such tax deed or such purported tax title.

Any person claiming any right, title or interest in or to such real estate adversed to the title or purported title by virtue of such tax deed referred to herein shall file a claim of the same with the recorder of the county wherein such real estate is located within 120 days after the filing of this Affidavit, such affidavit sets forth the nature thereof, also the time and manner in which such interest was acquired.

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 17th day of July, 19 71

Willard C. England

Jerrie L England

(Jerrie England), Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 17th day of July, 19 71.

Hazel M Ross

Hazel M. Ross, 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.

Willard C England

(Willard C. England)

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

Jerrie L England

(Jerrie England), Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 17 day of July, 19 71, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Willard C. England & Jerrie L England, 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.

Hazel M Ross

Hazel M. Ross, 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 17 day of July, 19 71.

Mary E. Welty

Recorder.

Authority: Tyndell v. Kenne
248 Iowa 43 (1957)
62 NW(2d) 1 10

Please type or print names under signatures as per Code Sec. 535.2

H-2184

27A. AFFIDAVIT OF POSSESSION (SHORT FORM)

This Printing: October 21, 1970