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

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

AFFIDAVIT OF POSSESSION

1971 DEC 13 AM 11:35
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Book 29 Page 512
1660 Fee $4.50 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 Hubert C. Woolery and Nellie G. Woolery, husband and wife, in joint tenancy and not common tenancy, with sole right of survivorship, subject to contract of sale to Lawrence E. Lienemann and Marguerite M. Lienemann, husband and wife,
are now the record titleholders of the following described real estate to-wit:

The Northeast Quarter (1/4) of the Southwest Quarter (1/4), and all that part of the East Half (1/2) of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) lying South of the Right of Way of the Chicago, Rock Island and Pacific Railway Company, and all land lying South of the right of way of said Chicago, Rock Island & Pacific Railway Company and North of Bulger Creek and West of a small creek running from said right of way South contained in the South Half (1/2) of the Northeast Quarter (1/4), being one (1) acre, more or less; all in Section Two (2) in Township Seventy-seven (77) North, Range Twenty-eight (28), West of the 5th P.M., Madison County, Iowa, and All that part of the West Half (1/2) of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) lying South of the Railroad right-of-way, in Section Two (2), in Township Seventy-seven (77) North, Range Twenty-eight (28), West of the 5th P. M., Madison County, Iowa, containing 10 acres more or less.

Continued next page

See preceding page

That said Hubert C. Woolery and Nellie G. Woolery, husband and wife, as aforesaid, 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.

The affiant further states that whereinever in the chain of title to the above described real estate the names Roland Conrad and Helen Conrad appear they refer to and are in fact one and the same person as Roland Conard and Helen Conard, respectively. The affiant also states that whereinever in the chain of title to the above described real estate the names Hubert C. Woolery and Nellie G. Woolery appear they refer to and are in fact one and the same persons as Hubert Woolery and Nellie Woolery, respectively.

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 16th day of November, 19 71

Hubert C. Woolery, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 16th day of November, 19 71.

H. Claude Peer
(H. Claude Peer), 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, one of the owners 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).

Hubert C. Woolery, Owner in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 16th day of November, 19 71, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Hubert C. Woolery, 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.

H. Claude Peer
(H. Claude Peer), 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 13 day of December, 19 71.

Mary E. Welty
Recorder

Authority: Tesdell v. Hanes
248 Iowa 742 (1957)
82 NW(2d) 119.