MISCELLANEOUS Record No. 27, MADISON County, Iowa

Format Form No. 13A — Affidavit of Possession, Iowa State Bar Association, Form No. 278, Long Form

AFFIDAVIT OF POSSESSION

Luther J. Holm & Bernice J. Holm
TO
The Public

#1079

Filed for Record the 24 day of March, A. D. 1964, at 3:57 o'clock P. M.

Mary E. Welty, Recorder.

, Deputy.

Recording Fee, $ 1.50

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 Luther J. Holm and Bernice J. Holm

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

The East Half (E½) of the Southeast Quarter (¼) and the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty (20) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa; subject to easements of record.

That said Luther J. Holm and Bernice J. Holm 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~~ 1950 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 I. C. A., and other statutes relative thereto.

I further depose and say that the one acre in a square form out of the Northeast corner of the said East Half (½) of the Southeast Quarter (¼) is and has been unimproved real estate and that the fair and reasonable market value of said one acre would not at any time in the past 20 years have exceeded the sum of $100 in value.

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 24 day of March, 1964

Luther J. Holm
Luther J. Holm

Bernice J. Holm
Bernice J. Holm Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 24 day of March, 1964.

Notarial SEAL

Emery L. Goodenberger
Notary Public in and for said County
Emery L. Goodenberger

*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].

Luther J. Holm
One of the Owners in Possession

STATE OF IOWA, Madison COUNTY, ss:

On this 24 day of March, 1964, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Luther J. Holm, 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.

Notarial Seal

Emery L. Goodenberger
Notary Public in and for said County
Emery L. Goodenberger

* 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 24 day of March, 19 64

COMPARED

Mary E. Welty
Recorder

Authority: Tindall v. Hoxie 248 Iowa 742 (1957) 82 NW2d 119.