MISCELLANEOUS Record No. 27, MADISON County, Iowa

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

AFFIDAVIT OF POSSESSION

Joseph E. Flora et al

TO

The Public

Filed for Record the 5 day of May,
A. D. 1965, at 3:45 o'clock P. M.
#1628
Mary E. Welty, Recorder.
Shirley G. Henry, 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 Joseph E. Flora and Arlene M. Flora, Husband and Wife,

are now the record titleholders of the following described real estate to-wit: The East Half of the NW¼ and the West Half of the NE¼ and the NW¼ of the SE¼ and the NE¼ of the SW¼ of Section 19, and the SW¼ of the SE¼ of Section 18, except the following described tract of land, to-wit: Commencing at the SE corner of said 40-acre tract and running thence West 14 rods, thence North 40 rods, thence West 12 rods, thence North 40 rods to the North line of said 40-acre tract, thence East 26 rods to the NE corner thereof, thence South 80 rods to the place of beginning; all in Township 74 North, Range 27 West of the 5th P. M., Madison County, Iowa.

That said Joseph E. Flora and Arlene M. Flora, 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 I. C. A., and other statutes relative 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 3rd day of May, 1965

Joseph E. Flora
Joseph E. Flora

Arlene M. Flora
Arlene M. Flora Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 3rd day of May, 1965.

NOTARIAL SEAL

Gertrude M. Mueller
Notary Public in and for said County

• 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].

Joseph E. Flora
Joseph E. Flora

Arlene M. Flora
Arlene M. Flora Owner in Possession

STATE OF IOWA, MADISON COUNTY, ss:

On this 3rd day of May, 1965, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Joseph E. Flora & Arlene M. Flora, 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

Gertrude M. Mueller
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 5 day of May, 1965.

COMPARED

Mary E. Welty
Recorder

Authority, Tindall v. Hines
246 Iowa 742 (1957)
97 NW2d 119.