MISCELLANEOUS *Record No. 28*, MADISON *County, Iowa*

Parrott Form No. 19A — Affidavit of Possession, Iowa State Bar Association, Form No. 27B, Long Form

AFFIDAVIT OF POSSESSION

R. E. Killmar

TO

The Public

Filed for Record the 19 day of February, A. D. 19 69, at 11:32 o'clock A. M.

#213 Mary E. Welty, Recorder.

, Deputy.

Recording Fee, $ 1.50

TO WHOM IT MAY CONCERN:

STATE OF IOWA } ss.
Clarke COUNTY }

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

That R. E. Killmar of Osceola, Iowa, is

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

The West Half (½) of the Southeast Quarter (¼) and the Southwest Quarter (¼) of the Northeast Quarter (¼), except 4 acres lying East of the public road, of Section Twenty-five (25), in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

That said R. E. Killmar titleholder by and through Lloyd Keith Felton and ~~Rockwell~~ Theresa L. Felton purchasers on contract 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, ~~1924~~ 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.

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 19th day of February, 19 69.

R. E. Killmar
R. E. Killmar Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 19th day of February, 19 69.

Kay Chaney
Kay Chaney Notary Public in and for said County

NOTARIAL SEAL

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).

R. E. Killmar
R. E. Killmar Owner in Possession

STATE OF IOWA, Clarke COUNTY, ss:

On this 19th day of February, 19 69, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared R. E. Killmar, 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

Kay Chaney
Kay Chaney 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 19th day of February, 19 69.

Mary E. Welty
Recorder

COMPARED

Authority: Tindall v. Hamm
248 Iowa 742 (1957)
92 NW(2d) 119.