IOWA STATE BAR ASSOCIATION
Official Form No. 27.1. (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

TO WHOM IT MAY CONCERN:

STATE OF IOWA)
) ss.
Madison COUNTY)

Co[illegible] 1455
FILED NO.
Fee $5.00 BOOK 37 PAGE 59

1986 JAN 14 PM 4:19

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

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

That S & B Properties, A General Partnership

are now the record titleholders of the following described real estate situated in Madison County, to-wit: The East 42 feet of Lot 3 in Block 24 of the ORIGINAL TOWN OF WINTERSET, Madison County, Iowa; and

A tract commencing at a point 6 1/2 feet East of the Northwest Corner of Lot Six (6), running thence East 80 feet, thence South 8 feet, thence West 80 feet, thence North 8 feet to the place of beginning, all in Block Twenty-four (24) of the Original Town of Winterset, Madison County, Iowa.

That said S & B Properties, A General Partnership 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 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.

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 14th day of January 1986 S & B Properties, A General Partnership

By: A. Leon Berkley Partner

G. Leon Berkley, Partner & Kenneth P. Schultheis, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 14th day of January 1986.

J. ERICKSON NOTARIAL SEAL Iowa

Barbara J. Erickson, 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.

S & B Properties, A General Partnership

By: A. Leon Berkley Partner

G. Leon Berkley, Partner & Kenneth P. Schultheis, Owner in Possession

Please type or print names under signatures as per Code Section 535.2

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

STATE OF IOWA, Madison COUNTY, ss:

On this 14th day of January, 1986, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared G. Leon Berkley and Kenneth P. Schultheis, 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.

J. ERICKSON NOTARIAL SEAL Iowa

Barbara J. Erickson, 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 14 day of JAN. 1986.

Mary E Welty Recorder.

Authority: Tesdell v. Hanes
248 Iowa 43 (1957)
82 NW(2d) 119.