MISC. RECORD 37

IOWA STATE BAR ASSOCIATION
Official Form No. 27.1. (Short Form) (Trade-Mark Registered, State of Iowa, 1957)

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

AFFIDAVIT OF POSSESSION

824

FILED NO. _____
BOOK 37 PAGE 438

1986 OCT 23 AM 8:41

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $5.00

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 Stephen G. Phillips

are now the record titleholders of the following described real estate situated in Madison County, to-wit: The West 278 feet of all that part of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) which lies north of the centerline of the right of way of the C. B. & Q. R. R. of Section Fifteen (15) all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Except a 25 foot wide tract of land more particularly described as a 25 foot wide strip centered on the following-described centerline: Commencing at a point located on the West line of said Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) located 8.4 feet South of the Southeast corner of Out Lot Five (5) Town of Truro, Iowa, thence North 88°55' East 278 feet to the East line of the above-described tract.

That said Stephen G. Phillips 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 18th day of September 1986.

X Stephen G Phillips
Stephen G. Phillips, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 18th day of September 1986.

JOLENE K. DeCARLO
MY COMMISSION EXPIRES
8-10-87

Jolene K DeCarlo
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.

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

X Stephen G Phillips
Stephen G. Phillips, Owner in Possession

STATE OF IOWA, MADISON COUNTY, ss:

On this 18th day of September, 1986, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Stephen G. Phillips, 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.

JOLENE K. DeCARLO
MY COMMISSION EXPIRES
8-10-87

Jolene K. DeCarlo
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 23 day of October, 1986.

Mary E. Welty
Recorder.

Authority: Teadell v. Hanes
249 Iowa 45 (1957)
82 NW(2d) 119.