third-mentioned of the gullies hereinbefore referred to, at a point approximately 250 feet south of the south line of the Potter land, hereinbefore described. The right and easement given and granted hereby are imposed upon said real estate referred to as the McDonald real estate as servient real estate, in favor of said real estate referred to as the Coleman land as a right and easement running with said real estate referred to as the Coleman land, and in favor of the present owners of said land referred to as the Coleman land, and also of any successor or successors in interest thereof, and also as a right and easement in favor of said real estate referred to as the Potter land and running with said land, and in favor of the owner thereof so far as the impounding of water on the Potter land is beneficial to said land and the owner thereof. Said right and easement given and granted hereby do not put any requirement on said Colemans, or any successor or successors in interest of theirs, to cause water to back up upon or be impounded upon or remain impounded upon said land referred to as the McDonald land, and such right and easement may be used if and whenever said Colemans, or their successor or successors in interest, see fit to use the same, and intermittently, if they see fit to do so.

Dated the 16 day of May, 1960.

Kenneth E. McDonald
(Kenneth E. McDonald)
Wilmarie McDonald
(Wilmarie McDonald)

STATE OF IOWA, Madison County, ss:

On this 16th day of May, 1960, before me, a Notary Public in and for Madison County, Iowa, personally appeared Kenneth E. McDonald and Wilmarie McDonald, to me known to be the persons named in and who executed the above and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL SEAL

Geo. D. Smith Notary Public
in and for Madison County, Iowa.

Raymond Rogers
To
The Public

#3730

Fee $1.20

Filed for record the 24 day of September A. D. 1960 at 11:45 o'clock A. M.

Mary E. Welty, Recorder

AFFIDAVIT OF POSSESSION

STATE OF IOWA MADISON COUNTY) SS.

I, Raymond Rogers, being first duly sworn on oath depose and state that I am well and fully acquainted with the record chain of title in and to the following described real estate, to-wit:

A tract of land commencing 21 rods and 20½ links North of the Southeast corner of the Northeast Quarter (¼), of the Northwest Quarter (¼) of Section One (1), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, thence North to a point 39 rods and 12 3/4 links South of the Northeast corner thereof, thence West 24 rods and 7½ links, thence South to a point 40 rods North of the South line of said 40-acre tract, thence West to a point 29 rods and 16½ links West of the East line thereof, thence South to a point 21 rods and 20½ links North of the South line thereof, thence East to the point of beginning.

I further state that I am the owner in possession of said real estate and that my possession and the possession of my grantors and their predecessors in the record chain of title to said real estate has been open, notorious, continuous, adverse and hostile under claim of right and color of title since prior to January 1, 1940.

Raymond Rogers

Subscribed and sworn to before me this 24 day of September, 1960.

(NOTARIAL SEAL)

Shirley Clark Notary Public
in and for Madison County, Iowa.

The undersigned, Raymond Rogers, holder of the record title to and the party in possession of the above described real estate, hereby requests the County Recorder of Madison County,

Iowa, to record the above affidavit in support of said title to said real estate.

Raymond Rogers
Raymond Rogers

CERTIFICATE OF RECORD

I, Mary _ Welty, County Recorder of Madison County, Iowa, hereby certify that the foregoing Affidavit was filed in my office by the owner in possession of the real estate described in accordance with the provisions of Section 614.17 of the 1958 Code of Iowa.

COMPARED

Mary E. Welty Recorder
of Madison County, Iowa

Ida C. Jobst et al
To
Anna Clausen

#3733
Fee $1.80

Filed for record the 26 day of September A. D. 1960 at 9:50 o'clock A. M.

Mary E. Welty, Recorder

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the undersigned do hereby make, constitute and appoint Anna Clausen of Polk County, Iowa, their true and lawful Attorney-in-Fact, with full right, power and authority for them, and in their names, place and stead:

To manage, lease, sell or seal crops - in her discretion - located, produced or raised on the following described real estate, to-wit:

The North Half (N½) of the Northwest Quarter (NW¼) and the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) all in Section Nine (9), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the Fifth P. M., in Madison County, Iowa,

and to secure a purchaser for said real estate, either through her own effort or through the effort of a real estate agent, said property to be appraised by three disinterested parties to be chosen by the attorney in fact, after which appraisal, only cash bids are to be accepted by the attorney in fact for no less a sum than the appraised value of the property. Attorney in fact is to keep record of expenditures and is to be reimbursed for same, and is to account to the undersigned for all income.

Giving and Granting unto said Attorney-in-Fact the full power and authority to do and perform each and every act, deed, matter, and thing whatsoever required and necessary to be done in and about the foregoing, as fully as the undersigned might or could do if personally present and acting.

The undersigned further direct that this Power of Attorney shall take effect immediately and shall be irrevocable unless and until such time as there is filed of record a duly acknowledged revocation of this instrument in the same office in which the instrument containing this power is recorded. (Code Section 558.1)

Each of the undersigned do hereby authorize said Attorney-in-Fact to relinquish all our rights of dower, homestead and distributive share in and to the above described premises insofar as the authority above granted is concerned.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as feminine or masculine gender, according to the context.

Signed this 21st day of September, 1960.

Ida C. Jobst
Ida C. Jobst
Bert Jobst
Bert Jobst
Ferdinand N. Clausen
Ferdinand N. Clausen
Minnie Clausen
Minnie Clausen
Christine Clausen Struck
Christine Clausen Struck
George Struck
George Struck

Clara C. Happel
Clara C. Happel, Single
Ella Clausen Stearns
Ella Clausen Stearns
Earl Stearns
Earl Stearns
Margaret Clausen Aulick
Margaret Clausen Aulick
Rev. Clifford E. Aulick
Rev. Clifford E. Aulick

STATE OF IOWA, DALLAS COUNTY, SS:

On this 7th day of September, A.D. 1960, before me, the undersigned, a Notary Public