



Document 2023 2861

Book 2023 Page 2861 Type 06 009 Pages 6
Date 11/21/2023 Time 8:41:22AM
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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

Preparer: Danielle Guisinger, 1055 Jordan Creek Pkway Ste 200, West Des Moines, IA 50266 515-864-9369

Return To: Danielle Guisinger, 1055 Jordan Creek Pkway, Ste 200, West Des Moines, IA 50266

$\frac{1}{5}$

AFFIDAVIT EXPLANATORY OF TITLE

RE: A parcel of land located in the ^{Southwest}~~Southwest~~ Quarter (1/4) of the Northeast Quarter (1/4) of Section Three (3), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 3.000 acres, as shown in Retracement Survey filed in Book 2023, Page 1198 on May 30, 2023, in the Office of the Recorder of the Madison County, Iowa;

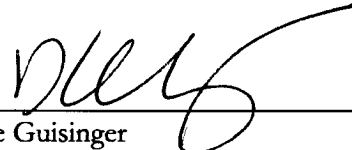


I, Danielle Guisinger, a licensed attorney in the state of Iowa, after being first duly sworn upon oath, do hereby state that based upon my familiarity with said real estate and based upon my own personal investigation, I can confirm the following:

- Several Affidavits have been filed in various counties in Iowa from Mitchell Mortgage Company, LLC stating that they were appointed as attorney-in-fact for Southwest Bank of Texas, NA and that Southwest Bank of Texas, NA is the successor in-interest to Fort Bend Federal Savings & Loan Association of Rosenberg. A copy of an Affidavit is attached hereto
- Further, a Limited Power of Attorney has been recorded in other counties in Iowa wherein Southwest Bank of Texas, NA appoints Mitchell Mortgage Company, LLC as its true and lawful attorney-in-fact. A copy of the same is attached hereto;

I offer this Affidavit to clear a potential cloud on the chain of title to the above-described real estate, particularly to show that a satisfaction of mortgage filed December 8, 2006 in Book 2006 Page 5100 is a valid release for a Mortgage from Maurice F. Lynch and Carole A. Lynch filed November 16, 1993 at Mtg. Rec. 169 Page 594.

Dated: 11/10/23


Danielle Guisinger

STATE OF IOWA)
COUNTY OF Dallas) ss:

This record was acknowledged before me on 11/10/23, by Danielle Guisinger




Notary Public in and for said State

FILED FOR RECORD
POLK COUNTY, IOWA

01 JAN 17 A 11:44.0

INST # **050166**

TIMOTHY J. BRIEN
RECORDER

RECORDING FEE 6.00
AUDITOR FEE _____

RETURN TO:

Form prepared by Kathy Faucett on behalf of Mitchell Mortgage Company, LLC, 4576 Research
Forest Drive, The Woodlands, TX 77381

9-59-46392

AFFIDAVIT

RE:

Unit 3018 in The Sanctuary at Southern Hills a Condominium established upon the real
property leagally described as Lot 2 of The Park at Southern Hills, and the East 4.0 feet of Lot 1 of the Park
at Southern Hills, City of Des Moines, Polk County, Iowa

STATE OF TEXAS, MORTGAGE COUNTY, ss

The undersigned, being first duly sworn under oath, deposes and states as follows:

1. That a Mortgage on the above referenced property dated June 27, 1995 and recorded
in Mortgage Record 7217, Page 712, Office of the Polk County recorded, was assigned to Fort
Bend Federal Savings & Loan Association of Rosenberg,
2. That on the 1st day of April, 1999, a merger did take place merging Fort Bend Federal
Savings and Loan Association of Rosenberg and Southwest Bank of Texas, NA, with
Southwest Bank of Texas, NA, now being the prevailing name.

And further the Affiant sayeth not.

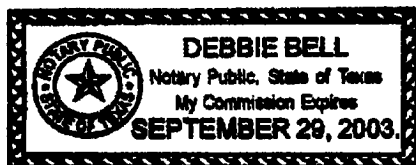
SOUTHWEST BANK OF TEXAS, NA
BY: MITCHELL MORTGAGE COMPANY, LLC
ATTORNEY-IN-FACT FOR SOUTHWEST BANK
OF TEXAS, NA

BY: _____

Marie Herrin, Vice President

STATE OF TEXAS, MONTGOMERY COUNTY, ss:

On this the 14th day of December, 2000, before me, the undersigned, a Notary Public in and for
said State, Personally appeared Marie Herrin, of Mitchell Mortgage Company, LLC, to me known
to be the person who executed the foregoing instrument in behalf of Southwest Bank of Texas,
NA, and acknowledged that that person executed the same as the voluntary act and deed of said
Southwest Bank of Texas, NA



Notary Public

BK 8683PG581

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11.00 p2

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FILED NO. 020358
BOOK 2437 PAGE 116
00 APR 19 PM 4:05
JOHNSON COUNTY RECORDER
IOWA CITY, IOWA

Prepared by: Douglas D. Ruppert, 122 South Linn Street, Iowa City, IA 52240, (319) 338-9222

AFFIDAVIT

STATE OF TEXAS)

) ss:

COUNTY OF ~~MONTGOMERY~~

I, Marie Herrin, who, having been duly sworn upon my oath, hereby depose and state as follows:

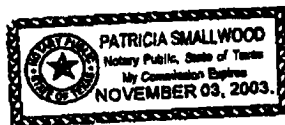
1. I am a resident of the State of Texas and am a Vice President of Mitchell Mortgage Company, L.L.C.
2. Mitchell Mortgage Company, L.L.C. has been appointed attorney-in-fact for Southwest Bank of Texas, N.A. pursuant to a Limited Power of Attorney recorded May 24, 1999 in Book 2741, Page 123, Miscellaneous Records of Johnson County, Iowa.
3. I can affirmatively state and have personal knowledge of the fact that Southwest Bank of Texas, N.A., pursuant to a Plan of Merger dated May 18, 1999, is the successor-in-interest to Fort Bend Federal Savings & Loan Association of Rosenberg.
4. As a result of the above-described merger, the assets and liabilities of Fort Bend Federal Savings & Loan Association of Rosenberg, specifically including the Mortgage dated May 1, 1993 and recorded May 10, 1993 in Book 1539, Page 201, Mortgage Records of Johnson County, Iowa, were merged with and into Southwest Bank of Texas, N.A.
5. This Affidavit has been prepared and executed to trace the authority of Mitchell Mortgage Company, L.L.C. to execute the Partial Mortgage Release dated January 10, 2000 and recorded January 18, 2000 in Book 2893, Page 62, Miscellaneous Records of Johnson County, Iowa, and also to execute a Mortgagee Consent to Subdivision regarding the platting of Milder Meadows, Johnson County, Iowa.

000116

Dated this 3 day of April, 2000.


Marie Herrin

Subscribed and sworn to before me by Marie Herrin this 3rd day of April, 2000.




Notary Public in and for the State of Texas

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027825

FILED NO.
BOOK 2741 PAGE 123
99 MAY 24 AM 9:54

LIMITED POWER OF ATTORNEY

[prepared by Mitchell Mortgage Company, LLC, 10077 Grogan's Mill Rd., Suite 300, The Woodlands, TX 77380, (281) 269-1800]

JOHNSON COUNTY RECORDER

SOUTHWEST BANK OF TEXAS, N.A., a Federally chartered bank, having an office for the conduct of business at 4400 Post Oak Parkway, Houston, Texas 77027, hereby constitutes and appoints:

Mitchell Mortgage Company, L.L.C. (herein "Mitchell")

its true and lawful attorney-in-fact, and in its name, place, and stead and for its use and benefits, to execute and acknowledge all documents customarily and reasonably necessary and appropriate for; (a) the substitution of trustee(s) under deeds of trust being serviced by Mitchell for the undersigned; (b) the modification of a mortgage or deed of trust owned by the undersigned and serviced by Mitchell for the undersigned as mortgagee or beneficiary or where the undersigned has become mortgagee or beneficiary by virtue of assignment of such mortgage or deed of trust, or by virtue of endorsement of notes secured by such mortgage or deed of trust; (c) the conveyance by special and/or general warranty deed of properties to the Federal Housing Administration, the Veteran's Administration, or the mortgage insurer by naming as grantee such entity or any specific office or office holder in the form required by any one of the foregoing; (d) endorsing and receiving checks; and (e) the release of the mortgage upon payment and discharge of all sums secured thereby, owned by the undersigned and serviced for the undersigned by said attorney-in-fact, whether the undersigned is named therein as mortgagee or beneficiary or has become mortgagee or beneficiary by virtue of assignment of such mortgage, or by virtue of endorsement of notes secured by such mortgage.

The undersigned gives to said attorney-in-fact full power and authority to execute such instruments as if the undersigned were personally present, hereby ratifying and confirming all that said attorney-in-fact shall lawfully do or cause to be done by authority hereof.

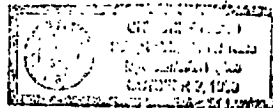
Subject to the last paragraph of this Limited Power of Attorney, third parties without actual notice may rely upon the power granted under the Limited Power of Attorney upon the exercise of such power by the attorney-in-fact that all conditions precedent to such exercise of power have been satisfied and that this Limited Power of Attorney has not been revoked unless an instrument of revocation has been recorded.

SOUTHWEST BANK OF TEXAS, N.A., a
Federally chartered bank

By: David C. Farries
Printed Name: David Farries
Its: Executive Vice President

STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on April 23, 1999
by David Farries, Executive Vice President, of SOUTHWEST BANK OF TEXAS, N.A., a Federally
chartered bank, on behalf of said corporation.



Christine Baird
Notary Public

Return to:
Mitchell Mortgage Company, L.L.C.
Attn: Marie Herrin
10077 Grogan's Mill Rd., Suite 300
The Woodlands, TX 77380

000123