

Miscellaneous Record, No. 19, Madison County

Ira S. Smith) Filed for record the 27th day of Dec A.D. 1916, at 2:02 o'clock P.M.
to
The Public) Afft. Jeannette E. Beck, Recorder.

Fee, \$.50
2805

State of Iowa, Madison County, SS. I, Ira S. Smith, a resident of Polk County, Iowa being first duly sworn on my oath depose and say, that I am a son of Leonard H. Smith the grantee in a certain warranty deed from Robert Heath, dated April 19th, 1875, and entered of record on Page 12 of Deed Record 12 of the record of Madison County, Iowa, conveying Lots 4 and 5 of Section Seven (7), Township Seventy seven (77) North, Range Twenty-six (26); that I was well and personally acquainted with Denio B. Hayner, grantee in a warranty deed from Leonard H. Smith, and wife dated May 15th, 1891, and recorded on Page 475 of Deed Record 30 of the records of said county conveying the E $\frac{1}{2}$ SE $\frac{1}{2}$ of said section, township and range; that the said Denio B. Hayner was a son-in-law of the said Leonard H. Smith and a brother-in-law of this affiant; that the E $\frac{1}{2}$ SE $\frac{1}{2}$ of said section, township and range is identical with Government Lot Five (5) of said section township and range; and that the said land was described in the deed last above mentioned as the E $\frac{1}{2}$ of the SE $\frac{1}{2}$ of said section, township and range for the reason that said land was commonly so described in the neighborhood in which it is located and it was the intention of the said Leonard H. Smith and wife in said conveyance to convey and they did in fact convey, by the deed last above referred to, to the said Denio B. Hayner the said Government Lot 5 of said section, township and range and that the said Denio B. Hayner entered into the possession of said Government Lot 5 or the E $\frac{1}{2}$ SE $\frac{1}{2}$ of said section, township and range under said conveyance and that he received and enjoyed the use, rents, issues, and pro-fits thereof from the date of said conveyance until he and his wife conveyed the ^{same} to this affiant on October 5th, 1893 describing the same as Lot 5 of said section, township and range as shown by Deed Record 33 Page 238 of the records of said county.

I further state that the said Denio B. Hayner, D. B. Hayner or Dennis B. Hayner wherever appearing in the records of Madison County, Iowa, in connection with the title to Government Lots 3, 4 and 5 of said section, township and range referred to one and the same identical person namely, Denio B. Hayner, brother-in-law of this affiant as first above mentioned.

That I make these statements from personal knowledge of the facts stated herein.

Ira S. Smith.

Subscribed and sworn to by the said Ira S. Smith this 16th day of December A.D. 1916.

E. E. McCall

Notary Public in and for said County.

NOTARIAL
SEAL

RECORDED
JAN 15