

Miscellaneous Record, No. 19, Madison County

M. L. SILLIMAN
TO) AFFT.
THE PUBLIC.)

Filed for record the 7th day of March, A. D.,
1919, at 1:22 o'clock, P. M.
Nettie E. Winship, Recorder.
Fee \$.60.
#750. ✓

STATE OF IOWA, MADISON COUNTY: ss: I, M. L. Silliman, of said county and state, being first duly sworn, do, upon my oath, depose and say that i have been a resident of said county for 50 years last past and during that time, have been well acquainted with the ownership of the Southwest Quarter (1/4) of Section Thirty-two (32) in Township Seventy-six (76) North, of Range Twenty-eight (28) West of the 5th P.M., and of my own personal knowledge from such acquaintance, well and personally know that the Emil Allgeyer named as one of the parties to a certain contract of date May 12th, 1902, recorded on June 26th, 1902, in Mortgage Record 41 at page 304, of the records of Madison County, Iowa, wherein it was agreed by the said Emil Allgeyer, party of the first part, to convey to Des Moines Southern Railway Company, party of the second part, on or before December 31st, 1903, to be used as right of way for said railroad, a strip of land fifty feet in width on one side of the center line of the Des Moines Southern Railway, as the same may be surveyed and located across and over the North Half (1/2) of the Southwest Quarter (1/4) of said section, township and range, never at any time acquired title to any portion of the Southwest Quarter (1/4) of said section, township and range, direct or indirect, and of my own personal knowledge, know that the said Emil Allgeyer never claimed or had any right, title, interest, claim or demand in and to said real estate or any part thereof and that such description of the above described land in said contract was simply an error on the part of

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the person drawing the same; further, that + was also well and personally acquainted with George W. Tracy named as grantee in a certain warranty deed from John Lane and wife, of date January 14th 1868, recorded on February 15th, 1868, in Deed Record V, at page 232 of said records and conveying the real estate first herein described, and well and personally know that he is the same identical person as the G. W. Tracy named as grantor in a certain warranty deed to the Des Moines Southern Railway Company, of date November 10th, 1902, recorded on November 12th, 1902, in Deed Record 44, page 28 of said records, and as the G. W. Tracy named as grantee in a certain quit claim deed from Des Moines Southern Railway Company, of date August 27th, 1903, recorded on September 6th, 1903, in Deed Record 34, page 401, of said records, and as the G.W. Tracy, who died intestate, on or about January 9th, 1918, seized in fee of the land first herein described and whose estate was probated in Madison County, Iowa, as shown by Probate Index G, page 269, of the records of said county, and as the George W. Tracy named in a certain guardianship proceedings, wherein E. R. Tompkins was appointed guardian of the person and property of the said George W. Tracy, as shown by Guardianship Docket D, page 370, of said records, and as the G. W. Tracy, mentioned in a certain partition proceedings had in the District Court of said county, wherein J. A. Tracy et al, were plaintiffs and Eugene Alexander, et al were defendants, at the April Term, A. D., 1918, of said court, and that wherever the names G. W. Tracy or George W. Tracy appear in connection with the title to the land first herein described or in either of said estate, guardianship or partition proceedings, it refers to one and the same identical person, namely, George W. Tracy. Further, affiant saith not.

M. L. Silliman.

Subscribed in my presence and sworn to before me by the said M. L. Silliman, affiant herein, this 6 day of March, A. D. 1919,

Will H. Henry.
Notary Public in and for
Madison County, Iowa.

