

Miscellaneous Record, No. 20, Madison County, Iowa.

Warren P. Bengé
to
The Public

Affidavit

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Filed for record the 29th day of April, A.D. 1926 at 4:00 o'clock P.M.

Gladys B. DeVault, Recorder.
Paul Lucas, Deputy.

State of Iowa, Madison County, ss: I, Warren P. Bengé, a resident of said county and state, being first duly sworn, on oath depose and say that I am a grandson of the Margaret Bengé who is named as grantee in a certain deed from A. J. Adkison and wife, dated Nov. 4th, 1873, recorded in Deed Record 1, Page 575, of the records of Madison County, Iowa, and conveying Lots 6 & 7, in Block 1, in Adkison's Addition to the City of Winterset, Iowa, and well know the following facts.

That the said Margaret Bengé died prior to Dec. 1st, 1886, intestate, and seized in fee simple of the above described property. That she left no husband surviving her, and that the A.M. Bengé, J.E. Bengé, Melissa E. Lyon, Lydia A. Danforth, Minnie A. Yoders, Elmira M. Bengé and Morris Perry Bengé who are named as grantors in a certain deed of date Feb. 28th, 1896, recorded in Deed Record 29, page 157, of said records, and conveying the above described property to Orpha Adkison, were at the date thereof, her sole and only heirs at law, and were each of lawful age and competent to convey. That no administration was had upon the estate of the said Margaret Bengé, deceased, but all debts and charges against the same were fully paid as I have been informed and verily believe.

That the said Morris Perry Bengé, grantor above referred to, was the same and identical person as the Perry R. Bengé for whom my father, A.M. Bengé, was appointed guardian on Dec. 1st, 1886, and the same person as the Perry M. Bengé named in the final report of the said A.M. Bengé, Guardian, filed on Feb. 5th, 1892, all as shown by the records in the office of the Clerk of the District Court of Madison County, Iowa, and that the recital in said report that the said Perry M. Bengé was the only heir at law of Margaret Bengé, deceased, was an error of the person who prepared said report.

That the description of the above described lots as being in "Adkison Addition" in the Deed from Orpha Adkison to Laura E. Finney, recorded in Deed Record 8, page 607, and as being in "Adkinson's Addition" in the deed from Laura E. Finney to L. Finney, recorded in Deed Record 9, page 220, and as being in "Adkinson's Addition" in the deed from L. Finney to James R. Davis, recorded in Deed Record 9, page 390, was an error on the part of the person or persons who drew said instruments, as the only Addition to Winterset, Iowa, of like name is "Adkison's Addition", as shown by plat thereof of record in Deed Record 8, page 336, and it was clearly the intention of the grantors in each instance to convey Lots 6 & 7, in Block 1, of Adkison's Addition to Winterset, Iowa. That to the best of my knowledge and belief, the said Laura E. Finney, L. Finney and James R. Davis, grantees in said deeds, respectively, by virtue of said deeds, did enter into possession of said Lots 6 & 7, in Block 1, of Adkison's Addition to Winterset, Iowa, and such property, only.

That I am in no way interested, and that the records herein referred to are all of Madison County, Iowa.

Warren P. Bengé

Subscribed in my presence and sworn to before me by the said Warren P. Bengé, this 26th day of April, A.D. 1926.

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

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SEAL