

Mortgage Record, No. 78, Madison County, Iowa

Fayette Taylor :
 To Affidavit
 The Public : #411 Feel.10

Filed for record the 22 day of
 February, A. D. 1927 at 8:40 A. M.
 Gladys B. De Vault, Recorder.

Affidavit.

State of Iowa, Madison County, ss:

I, Fayette Taylor of said County and State being first duly sworn upon oath depose and say that I am now past 75 years of age, and that for more than 60 years I have lived with $\frac{1}{3}$ miles of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, and with $\frac{1}{2}$ miles of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, all in Township 75 North, of Range 26, West of the 5th P. M. Madison County, Iowa now owned by Dora V. Galbraith, and that for more than 40 years last past I have been well and intimately acquainted with the title, ownership and occupancy of every part and parcel thereof.

I further state that I well remember when said Dora V. Galbraith acquired title to said land by Warranty Deed dated January 24, 1893, executed by William B. Daniel and wife, Allie E. Daniel, recorded in Deed Record 33, page 113 of the records of Madison County, Iowa, and know of my own personal knowledge that said Dora V.

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Galbraith has been in the actual, open, notorious, continuous, adverse, exclusive, uninterrupted and peaceable possession, occupancy and control of all of said land and every part and parcel thereof, under claim of right and color of title, since the Year, A. D. 1895, and that during all of said time said Dora V. Galbraith has received the rents and profits of said land, cultivated and fenced the same, and paid the taxes thereon, and that neither W. B. Daniels, William B. Daniel, William B. Daniels, W. B. Daniel, Allie Daniels, Allie Daniel, Allie E. Daniels, Allie E. Daniel, nor any one claiming by, through or under them, nor District Township of South, of Madison County, Iowa, nor any other person or persons, have ever claimed or asserted any right, title, interest claim or demand in or to any part or parcel thereof adverse to said Dora V. Galbraith who now holds peaceable possession thereof.

I further state that I was the Sub-Director of School No. 3 of the District Township of South, of Madison County, Iowa, when the following described 1/2 acre tract was purchased, and to which District Township was conveyed for additional school lot for School No. 3 the following tract, to-wit: Commencing at the Northwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 75 Range 26, Madison County, Iowa, thence running East 10 rods, thence South 8 rods, thence West 10 rods, thence North 8 rods to the place of beginning, containing 1/2 acre, by the Deed made by William B. Daniel and Allie E. Daniels, his wife, to District Township of South, of Madison County, Iowa, dated September 28, 1892, and recorded in Deed Record 32, page 510 of the records of Madison County, Iowa; that I lived within 1 $\frac{1}{2}$ miles of said tract and well remember all of the circumstances surrounding the purchase of said tract and the conditions upon which same was conveyed; that this tract was acquired for additional school or play ground purposes and thus enlarged the school lot to one acre to comply with certain laws effective at the time, the school building being then actually located upon *immediately adjoining the above describe 1/2 acre* 1/2 acre on the North; that I do not recall that said one-half acre conveyed by Daniel and wife was actually fenced and included with the original 1/2 acre school site upon which the school building was located, as same was not well suited for school ground owing to the general contour thereof; that W. B. Daniels named in the reversionary clause in said deed was the same and identical person as William B. Daniel who acquired title to all of said land hereinbefore described by deeds recorded in Deed Record 27, page 198 and in Deed Record 25, page 597 of said records, and the same and identical person as William B. Daniel, who, with his wife Allie E. Daniel joining, conveyed all of said 70 acres first herein described without exception of any tract for school site whatever, by Deed recorded in Deed Record 33, page 113 of said records, dated January 24, 1893, being subsequent to the date of said deed to said District Township of South, to Dora V. Galbraith, and under said Deed she entered into possession of said 70 acres, and as before stated, she now has, and has had peaceable possession thereof for more than 30 years; that said described school site of 1/2 acre, together with the original 1/2 acre tract on which the school house was located was abandoned and the buildings razed and new buildings erected 1/2 mile West of said 1/2 acre tract more than 25 years ago and a new site purchased and conveyed by said William B. Daniel and wife, and that said 1/2 acre tracts abandoned were never used or occupied for school purposes thereafter; and that about 5 years ago the said NE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, Twp. 75, Range 26 was included in the Consolidated School District of Patterson, Madison County, Iowa, and that A Consolidated School Building is now located 2-1/4 miles North and 1/2 mile West of said 60 acres.

I further state that wherever the surnames of said William B. Daniel or Allie E. Daniel appear as Daniels in the record of any instrument filed in Madison County,

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Iowa, affecting the title to any part of the land hereinbefore described the same refer to the family surname, Daniel.

I further state that I am in no way interested, and that all facts stated herein are true to the best of my knowledge and belief.

Fayette Taylor.

Suscribed and Sworn to before me by the above named affiant, this 21st day of February, A. D. 1927.

NOTARIAL
SEAL

Harry F. Anderson.
Notary Public, Madison County, Iowa.