

Miscellaneous Record, No. 21, Madison County, Iowa.

J. F. Tate and W. J. Cornell
to
The Public

#351
Fee \$1.00 ✓

Filed for record the 10 day of
February, A. D., 1928, at 1:45 o'clock
P. M.
Gladys B. DeVault, Recorder,
Ercell M. Knott, Deputy.

AFFIDAVIT

STATE OF IOWA, Madison County,)ss:

I, J. F. Tate and I, W. J. Cornell of said County and State being first duly sworn upon oath depose and say that I am now and have been a resident of Madison County, Iowa, for more than forty years last past, and that during all of said time I have been well and intimately acquainted with the title, ownership and occupancy of the Northwest Quarter and the West Half of the Northwest Quarter of the Northeast Quarter and the West 30 acres of the Southwest Quarter of the Northeast Quarter of Section 23, all in township 76 North, of Range 29, West of the 5th P. M., Madison County, Iowa, and know of my own personal knowledge that CHARLES L. HOENESS, or his legal grantors, were 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 October 1, 1892, and that their title thereto has never been questioned to my personal knowledge, and that from October 1, 1892 to November 8, 1923, the date of the death of said Charles L. Hoeness, said Hoeness and his legal grantors received the rents and profits of said land, cultivated and fenced the same and paid the taxes thereon, and that since November 8, 1923, Sallie Hoeness, widow of said Charles L. Hoeness, who was devised all of the real property of said Hoeness for and during her natural life under the terms of his Last Will and Testament, enjoyed the above described possession, occupancy and control of all and every part of said land as above described, and received the rents and profits thereof, cultivated and fenced the same and paid the taxes thereon, until the date of her death, December 23, 1927, and since then the above described possession, occupancy and control of all and every part of said land has been vested in Samuel Hoeness, Hellen Lydia Hoeness, Sophia Catherine Hoeness and Carrie Williams, devisees under said Will, and that they have received the rents and profits of said land, cultivated and fenced the same and paid the taxes thereon, and that the title of the legal representatives of said Charles L. Hoeness to said land has never been questioned to my personal knowledge, and that no other person or persons now claim, or have ever claimed or asserted any right, title, interest, claim or demand in or to any part or parcel of said land adverse to said Charles L. Hoeness or his legal representatives, and that said devisees now hold peaceable possession thereof.

I further state that said Charles L. Hoeness died seized of the real estate hereinbefore described, and that same was devised to his wife, Sallie Hoeness, for and during her natural life, as above stated, in lieu of her dower or distributive interest in the estate of said Charles L. Hoeness; and I further state that I know of my own personal knowledge that said Sallie Hoeness accepted the provisions of said Will in lieu of dower, and that while she did not file a statement or election in the administration of the estate of said Charles L. Hoeness accepting the provisions made in said Will as to her, I know that such provisions were entirely satisfactory to her and that she received the use of said land during her lifetime.

I further state that wherever the names Samuel Hoeness, Samuel G. Hoeness and Sam'l G. Hoeness appear in connection with the title to said land hereinbefore described the same refer to one, the same and identical person, Samuel G. Hoeness being his full, true and correct name,

I further state that wherever the names Hellen Lydia Hoeness, Helen Lydia Williams and Helen Lydia Hoeness Williams appear in connection with the title to said land the same refer to one, the same and identical person, Helen Lydia Hoeness Williams being her full, true and correct name, she having intermarried with one John T. Williams.

I further state that wherever the names Sophia Catherine Hoeness, Sophia Catharine Hoeness

Miscellaneous Record, No. 21, Madison County, Iowa.

Carlett, Sophia Katherine Hoeness Corlett and Sophia Catherine Hoeness Corlett appear in connection with the title to said land the same refer to one, the same and identical person, Sophia Catherine Hoeness Corlett being her full, true and correct name, she having intermarried with one Elton F. Corlett.

I further state that wherever the names Carrie Williams and Carrie M. Williams appear in connection with the title to said land the same refer to one, the same and identical person, Carrie M. Williams.

I further state that I am in no way interested in the title to the land herein described, but make this affidavit at the request of the present owners thereof for the purpose of establishing of record the facts herein stated.

J. F. Tate

W. J. Cornell

Subscribed in my presence and sworn to before me by the above named affiants this 6th day of February, A. D., 1928.

NOTARIAL
SEAL

Harry F. Anderson
Notary Public within and for Madison
County, Iowa.