

Miscellaneous Record, No. 22, Madison County, Iowa

M.L.Silliman et al

#1819

Filed for record the 2 day of
May A.D.1936 at 4:28 o'clock
P.M.

To

Fee \$.50 ✓

The Public

Valda G. Bishop, Recorder

AFFIDAVIT OF ADVERSE POSSESSION

State of Iowa, } ss:
Madison County. }

I, M.L.Silliman, and I, H.H.Finney, of said county and state, each being first duly sworn on separate oath, depose and state as follows:-

That we have been residents of Madison County, Iowa, for more than 40 years last past, and during all of said time have lived in the neighborhood of and been familiar with the title, ownership, and occupancy of the E $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ Sec. 7, and N $\frac{1}{2}$ SE $\frac{1}{2}$ and the North 13-2/3 acres of the SW $\frac{1}{2}$ SE $\frac{1}{2}$ Sec. 8, and the S. 33.27 acres of the following described tract of land, to-wit:-
W $\frac{1}{2}$ NE $\frac{1}{2}$ Sec. 8, except the W. 9 acres thereof and except the two following described tracts of land, to-wit:-Commencing at the SE.corner of said W $\frac{1}{2}$ NE $\frac{1}{2}$ and running thence N. 2640 ft. to the NE. corner thereof, thence W. 20 feet to the center of the highway as now established and used, thence in a Southwesterly direction to a point 70 feet W. of the place of beginning, thence E. to the place of beginning; and also commencing at a point on the S. line of said W $\frac{1}{2}$ NE $\frac{1}{2}$ 3 rods and 18 links W. of the SE. corner thereof, and running thence N. parallel with the E. line of said 80-acre tract 16 rods, thence W. parallel with the S. line of said 80-acre tract 10 rods, thence S. parallel with the E. line of said 80-acre tract 16 rods to the S. line thereof, thence E. along said S. line of said 80-acre tract 10 rods to the place of beginning, containing 1 acre and used for a school house lot; all being in Twp. 75, Range 28, Madison County, Iowa; and we know of our own personal knowledge that John B. Gallagher, Receiver of Chicago Joint Stock Land Bank, entered into possession of said land under and by virtue of the sheriff's deed recorded in Deed Record 68, page 262, and under and by virtue of the quit claim deed recorded in Deed Rec. 71, page 99, of the records of Madison County, Iowa, and that said John B. Gallagher, as such Receiver, and his immediate grantors, from and including D.F.Hagan and John T. Gaunt, have been in the actual, open notorious, continuous, adverse, exclusive, uninterrupted, and peaceable possession, occupancy, and control of all of said real estate and every part and parcel thereof under claim of right and color of title since prior to Jan.1, 1900, and that no claim of any kind adverse to the possession of said parties aforementioned has been asserted to any of said real estate to our personal knowledge since prior to Jan. 1, 1900, and that said John B. Gallagher now enjoys peaceable possession thereof.

We further state that we are in no way interested in the title to the real estate above described, but make this affidavit at the request of the present owner thereof for the purpose of establishing of record the facts above set forth.

M.L.Silliman
H.H.Finney

Subscribed in my presence and sworn to before me by the above named affiants this 2 day of May, A.D.1936.

(Notarial Seal)

William S. Inlow
Notary Public in and for Madison
County, Iowa,

State of Iowa, County of Madison, ss; I, Valda C. Bishop, County Recorder, in and for said county and state aforesaid, hereby certify that the foregoing affidavit was recorded in my office and entered on the records thereof on the 2 day of May, 1936, on behalf of John B. Gallagher, Receiver, the owner in possession of said real estate mentioned in said affidavit.

Valda C. Bishop
County Recorder of Madison County,
Iowa.