

Miscellaneous Record, No. 22, Madison County, Iowa

M.W.Browne

#2277

Filed for record the 15 day of
May A.D.1937 at 11:01 o'clock
A.M.
Valda C. Bishop, Recorder

To

Fee \$.80 ✓

The Public

AFFIDAVIT

STATE OF IOWA

) SS.

MADISON COUNTY

I, M.W.Browne, being first duly sworn, do upon my oath depose and say that I am a resident of St. Charles, Madison County, Iowa, and have resided there continuously with the exception of one year since 1866; that I am the son of Joseph M. Browne, who is sometimes known as J.M.Browne; that my father acquired title to Lot One in the SW Section of the Original Town of St. Charles, Madison County, Iowa, by deeds of conveyance dated September 4, 1855 and May 1, 1860 and that said deeds are found of record in the office of the County Recorder of Madison County, Iowa, in Deed Record Book E at page 38 and Deed Record L at page 312; that in 1883 he conveyed said property to J.L.Browne & Co. which was a partnership composed of J.L.Browne, My Cousin, and J.M.Browne, my father; that in 1886 my cousin J.L.Browne, conveyed his undivided one-half interest in said property to H.C.Stouffer but that my father retained title to his undivided one-half interest in said property until 1911 when he conveyed same by warranty deed to Stayton and Johnston; that from the time my father acquired title to said land and until the time that he conveyed his undivided one-half interest therein to Stayton and Johnston, he and those claiming under him have had open and undisputed possession and occupancy of said land continuously under claim of absolute title thereto and exercised all the usual rights of ownership thereof and had the same enclosed and improved without adverse claims on the part of any party or person whomsoever; that at no time during said period did John Bogardus or Hattie J. Bogardus claim any right, title, lien or interest in and to said premises; that during said period of time John Bogardus and Hattie J. Bogardus were the owners of Lot One in Block Nine of Hartman & Young's Addition to the Original Town of St. Charles, Madison County, Iowa, and that the mortgage of \$275 given by them to Nathaniel McClure as of date of April 23, 1873, and found of record in Mortgage Record Book 4 at page 540 of the records of the office of the County Recorder of Madison County, Iowa, covering Lot One in the SW Section in the Town of St. Charles, Madison County, Iowa, in Block Nine in the Addition to the Town of St. Charles, Iowa, covered the property which they owned and not the property described as Lot One of the SW Section of the Original Town of St. Charles, Madison County, Iowa; and that the foreclosure of said mortgage by Nathaniel McClure and shown of record in the office of the Clerk of the District Court of Madison County, Iowa, in Case 1026 Equity was in truth and in fact a foreclosure upon Lot One in Block Nine of Hartman & Young's addition to the Original Town of St. Charles, Madison County, Iowa, and that the sheriff's deed issuing out of said foreclosure and dated April 10, 1877 and found of record in Sheriff's Deed Record Book A at page 77 conveying Lot One in the SW Section of St. Charles, Iowa, in Block Nine in the Addition to the Town of St. Charles, was in truth and in fact a conveyance of Lot One in Block Nine of Hartman & Young's Addition to the Original Town of St. Charles, Madison

I hereby certify that the annexed affidavit was filed by
the owner in possession of the
Lands Mentioned therein. Dated May 15 1937

Recorder

Valda C. Bishop

Madison County

Miscellaneous Record, No. 22, Madison County, Iowa

County, Iowa, and did not in any way effect Lot One, ^{the} SW Section of the Original Town of St. Charles, Madison County, Iowa, and that neither the said John Bogardus, Hattie J. Bogardus or Nathaniel McClure or their grantees have ever claimed any right, title, lien or interest in or to Lot One in the SW Section of the Original Town of St. Charles, Madison County, Iowa, but that said parties owned Lot One in Block Nine of Hartman & Young's Addition to the Original Town of St. Charles, Madison County, Iowa.

That this affidavit is made at the request of said owners of said land and to explain the record title and the chain of title to said property, to be recorded for the benefit of said owners and that said affiant has no other or further interest therein.

M.W.Browne

Subscribed in my presence and sworn to before me by the said M.W.Browne this 12 day of May A.D.1937.



H.A.Mueller

Notary Public in and for said County.