

Miscellaneous Record, No. 22, Madison County, Iowa

SEAL

Notary Public in and for Madison County, Iowa.

Chas Rowe, et al

#2827

Filed for record the 12 day of
June A.D. 1937 at 11:58 o'clock
A.M.
Valda C. Bishop, Recorder
Pearl E. Shatterly, Deputy

To

Fee \$.90 ✓

The Public

A F F I D A V I T

STATE OF IOWA : SS

MADISON COUNTY :

I, Chas. Rowe and I, W.S. Cooper, each for himself and on his own be-

half being first duly sworn upon my oath depose and say that I have been a resident of Madison County, Iowa, for more than fifty (50) years last past. That I was well and personally acquainted with John W. Crossley during his lifetime, said acquaintance extending over a period of more than thirty (30) years. That the said John W. Crossley died testate in Winterset, Madison County, Iowa, on the 22nd day of October A.D. 1926. That at the time of his death the said John W. Crossley was seized in fee simple of the following described real estate to-wit:-

Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-four (34) Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., and the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) (except the right of way of the C.R.I. and P.Ry.Co., and also except that part thereof heretofore conveyed to the State of Iowa for highway purposes and more particularly described as follows:- A strip of land 105 feet wide lying Northerly of and adjacent to the North right of way line of said C.R.I. & P.Ry.Co., and extending from the West line of said Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) to the East line thereof, and described as commencing at a point 334 feet South of the North Quarter corner of Section 75 being a point on the North right of way line of said C.R.I. & P.Ry.Co., thence Westerly 1320 feet, along said railroad right of way line, thence North 105 feet, thence Easterly 1320 feet parallel to said railroad right of way line, thence South 105 feet to the point of beginning and containing 3.2 acres more or less); and the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) and Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-five (35) (excepting from said last described 80 acre tract all that part thereof included with the following described tracts, to-wit: Commencing at the NW. corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirty-five (35), and running thence North 83 $\frac{1}{2}$ ° East, 14 rods to the center of Middle River, thence North 40° East, 14 rods, thence North 69° East, 11 $\frac{1}{2}$ rods, thence South 15 $\frac{1}{2}$ ° East, 53 rods, thence South 85° West, 18 rods and 3 links, thence North 24 $\frac{1}{2}$ ° West, 16 $\frac{1}{2}$ rods, thence North 83° West, 11 rods to the East line of the Mill lot, thence to the place of beginning; and also a 4 acre lot having for its center the center of the Mill, said 4 acre lot including a 3 acre lot in the NE. corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirty-five (35), described as the North 24 rods of the East 20 rods of said Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirty-five (35), the East line of the Mill lot referred to being the West side of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 35); all in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

Also, Lot Four (4) in Block Twenty-two (22) of the Original Town of Winterset, Madison County, Iowa.

That I have been familiar with the title ownership, occupancy and control of said real estate from more than thirty (30) years last past and know of my own personal knowledge that the said John W. Crossley had and held the actual, open, notorious, continuous, adverse, exclusive, uninterrupted and peaceable occupancy and control of all of said real estate and every part and parcel thereof under the claim of right and color of title for more than twenty (20) years prior to his death, and that since his death his legal representatives have been in the pos-

State of Iowa
Madison County

I hereby certify that the annexed affidavit was filed by
the officer in possession of the
book mentioned therein.

Dated June 13, 1937
Valda C. Bishop, Recorder

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session and control thereof, until about the 15th day of March A.D. 1937, when the same was sold under an order of Court to Evalyn G. Smith, a daughter of the said John W. Crossley, and I know of my own personal knowledge that the said Evalyn G. Smith and her grantors, including the said John W. Crossley, have had and held actual, open, continuous, adverse, uninterrupted and peaceable occupancy and control of all of said real estate and every part and parcel thereof under a claim or right and color of title for more than thirty (30) years last past, and that no claim of any kind adverse to the title and possession of the said John W. Crossley or of the said Evalyn G. Smith has been in any manner asserted to said real estate or any part or parcel thereof to our personal knowledge since prior to January 1st, 1907, and that the said Evalyn G. Smith now enjoys the quit and peaceable possession and occupancy thereof.

That I am in no way interested in said real estate, but simply make this affidavit for the purpose of establishing of record the facts as above set forth.

All of which is true as I verily believe.

NOTARIAL

Chas Rowe.
W.S. Cooper.

Subscribed and sworn to before me and ~~SAEY~~ presence by the said Chas Rowe and W.S. Cooper on this 11th day of June A.D. 1937.

Dorothy D. Longenecker
Notary Public in and for Madison County, Iowa.