

Miscellaneous Record, No. 22, Madison County, Iowa

Valda C. Bishop, Recorder

Charles E. Tucker

#3499

Filed for record the 29 day of
July A.D. 1937 at 8:43 o'clock
A.M.

To

Fee \$. 60

Valda C. Bishop, Recorder
Pearl E. Shetterly, Deputy

The Public

A F F I D A V I T

STATE OF IOWA

ss

COUNTY OF MADISON

I, Charles E. Tucker, being first duly sworn on oath, depose

and state that I am a resident of Madison County, Iowa, and have been such a resident contin-

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uously for more than a period of thirty years, that I have personal knowledge of the matter hereinafter referred to and during all of said time have resided in the vicinity of and have been acquainted with the use, occupancy, possession of the following described real estate situated in the County of Madison, State of Iowa, to wit:

The North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$); the West Half of the Northwest Quarter of the Southeast Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) and commencing at the Southwest corner of the Northeast Quarter (NW $\frac{1}{4}$), running thence East 40 rods, thence North to Middle River, thence up Middle River to the West line of said Northeast Quarter (NE $\frac{1}{4}$), thence South to the place of beginning; all in Section Twenty-one (21), Township Seventy-five (75) North, Range Twenty-eight (28), West of the 5th P.M.

I further state that The Travelers Insurance Company has been and The Travelers Insurance Company is now in actual possession of the said real estate, that it and its grantors have been in actual, open, adverse, notorious, hostile, continuous and exclusive possession of said premises since and prior to January 1, 1900, as shown by the records of Madison County, Iowa, and has held such possession under color of title, claim of right and claim of ownership in fee simple since and prior to January 1, 1900, and that said possession has been peaceable and undisturbed and that the title has never been questioned or disputed to my knowledge and belief. The aforesaid parties not only have been in actual possession but also have cultivated the land, improved and repaired the buildings and paid their taxes thereon.

This affidavit is made for the purpose of establishing title to the above described property in accordance with the sections 11,024 and 11,030 of the 1935 Code of Iowa and for the purpose of being recorded in accordance with the provisions of Sections 10,073 and 11,024 of the 1935 Code of Iowa.

I further state that I am well and personally acquainted with the Earl W. Wagner who appears in the probate proceedings of George L. Wagner, deceased, whose estate proceedings are designated as 3601 Probate -- Probate Docket I, page 436 and he is one and the same as the Earl Wagner who appears as defendant in the foreclosure action designated as case #15638--Equity.

I further state that I make this affidavit from my own personal knowledge and for the purpose of clearing the defects in the chain of title to the above described property.

Further affiant sayeth not.

Charles E. Tucker

Signed, subscribed and sworn to before me, a Notary Public, this 29th day of July, 1937.

H.C. Fosher

(Notarial Seal)

Notary Public in and for said 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 filed in my office by the owner in possession as named in said affidavit, or by his attorney-in-fact, as shown by the records, and recorded and entered on the records thereof on the 29th day of July, A.D. 1937.

Valda C. Bishop, Recorder