

Wes Smith

#1504

and for Madison County, Iowa.

Filed for record the 8 day of March
A.D. 1940 at 8:35 o'clock A.M.

To

Fee \$ 1.00 ✓

Pearl E. Shetterly, Recorder

The Public

A F F I D A V I T

STATE OF IOWA MADISON COUNTY); ss

I, Wes Smith, of said County and State, being first duly sworn, on my oath depose and say:

That I am a resident of Madison County, Iowa, and have resided in Madison County, Iowa, for a period of more than twenty-five (25) years.

That I was well and personally acquainted with E. A. Hermon, who is named as a grantee in a Warranty Deed conveying the Northwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), and the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), except all that part of the South One-fourth ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) lying and being West of the public highway

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as now located and established, and the South Half ($\frac{1}{2}$) of the North Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Eight (8), and the South 30 acres of the Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Nine (9), all in township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, said Deed being recorded in Deed Record 65, on page 551, of the Deed Records of Madison County, Iowa, and I know of my own personal knowledge that the Ezra A. Hermon, who is named as the grantee in a Warranty Deed conveying 10 acres off of the North side of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Eight (8), and 10 acres off of the North side of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Nine (9), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Iowa, said Deed being recorded in Deed-record 73, on page 307, of the Deed Records of Madison County, Iowa, and the Decedent, E. A. Hermon, whose estate is being administered in the District Court of Madison County, Iowa, as shown by Probate Docket K, on page 236 of the probate records of Madison County, Iowa, and the E. A. Hermon named in the partition suit entitled "Roy Hermon, et al., plaintiffs, vs: Ethel Holmes, et al., defendants," being No. 16831 Equity, pending in the District Court of Madison County, Iowa, shown in Appearance Docket 32, on page 17, and the Ezra A. Herman, and the E. A. Herman, shown in the probate proceedings in the estate of E. A. Hermon, Deceased, or wherever the name should appear in the chain of title to the following described real estate, to-wit:-

All that part of the North Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Eight (8), lying East of the Highway as the same now runs through said eighty acre tract; also the North Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Eight (8), except highway; and the South 30 acres of the Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$); and the North 10 acres of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Nine (9); all in Township Seventy-five (75) North, Range twenty-seven (27) West of the 5th P.M.,

refers to one and the same identical person, and I know of my own personal knowledge that the name set out as E. A. Hermon, Ezra A. Hermon, Ezra A. Herman, and E. A. Herman, as shown in the chain of title to said real estate, refer to one and the same identical person, and his true and correct name was Ezra A. Hermon, but he was known and designated and ordinarily signed his name as E. A. Hermon.

That I was well and personally acquainted with all the heirs-at-law of the said E. A. Hermon, Deceased, and I know of my own personal knowledge that Elvert E. Hermon, named as one of the heirs-at-law in the probate proceedings of the estate of E. A. Hermon, Deceased, and the Elvert E. Herman named in said probate proceedings, and the Elvert Herman, E. E. Hermon and E. E. Herman named in the probate proceedings, or in the partition proceedings entitled "Roy Hermon, et al, plaintiffs vs: Ethel Holmes, et al., defendants," being Equity No. 16831, as shown in appearance Docket 32, on page 17, of the District Court records of Madison County, Iowa, is one and the same identical person, and his true and correct name is Elvert Hermon, and wherever in this chain of title to this real estate the names of Elvert Hermon, Elvert Herman, Elvert E. Hermon, Elvert E. Herman, E. E. Hermon and E. E. Herman appear they refer to one and the same identical person, and his true and correct name is Elvert E. Hermon.

That I was acquainted with Grace Yoder, who is named as one of the heirs-at-law in the probate proceedings of the estate of E. A. Hermon, Deceased, pending in the District Court of Madison County, Iowa, shown in probate record docket K, on page 236, of the probate records of Madison County, Iowa, and the Grace Yoders named as one of the heirs-at-law in the probate proceedings of the estate of E. A. Hermon, Deceased, and the Grace Yoders, who is named as one of the parties in the said partition suit entitled "Roy Hermon, et al., plaintiffs vs: Ethel Holmes, et al defendants, " being No. 16831 Equity, pending in the District Court of Madison County, Iowa, and the Grace Yoder appearing in said proceedings wherein the above described real estate

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was sought to be partitioned, with other real estate, and wherever Grace Yoder or Grace Yodera appears in the chain of title to said real estate, it refers to one and the same identical person, and her true and correct name is Grace Yodera.

That I was well and personally acquainted with Sula Poland, who is named as one of the heirs-at-law of E. A. Hermon, Deceased, in the probate proceedings in said estate, pending in the District Court of Madison County, Iowa, as aforesaid, and the Sula Poland named as one of the parties in said partition action above referred to wherein the above real estate was sought to be partitioned, and I know of my own personal knowledge that Lula Poland, whose name appears in this chain of title in the probate proceedings of the estate of the said E. A. Hermon, Deceased, or in the partition suit above referred to, refer to one and the same identical person, and her true and correct name is Sula Poland.

That I have no interest in the real estate above described, but am simply making this affidavit to correct apparent defects in the chain of title.

All of which is true as verily believe.

NOTARIAL

Wes Smith

Subscribed and sworn to before me and in my presence by the said Wes Smith this 16th day of February 1940.

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