

Miscellaneous Record, No. 23, Madison County, Iowa

NOTARIAL

R W B E A S S O N this 30th day of March 1940.

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

W. Clifford Lienemann

#2052

Filed for record the 30 day of March
A.D. 1940 at 11:43 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 COUNTY OF MADISON) ss.

I, W. Clifford Lienemann, being first duly sworn on oath, depose and state that I am a resident of Madison County, Iowa, and have been such a resident continuously for more than a period of 30 years, that I have personal knowledge of the matters hereinafter referred to and during all of said time have resided in the vicinity of and have been acquainted with the use, occupancy and possession of the following described property situated in the County of Dallas, State of Iowa, to-wit:

All of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78), Range Twenty-eight (28), West of the Fifth P.M., in Dallas County, Iowa, lying south of the right-of-way of the Chicago, Rock Island & Pacific Railroad Co., being 54.98 acres more or less, also

All of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78), Range Twenty-eight (28), West of the Fifth P.M., in Dallas County, Iowa, being 39.92 acres more or less, also

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78), Range Twenty-eight (28), West of the Fifth P.M., Dallas County, Iowa, thence North 1.29 $\frac{1}{2}$ chains to the right-of-way of said railroad, thence Northeasterly along said right-of-way 9.89 chains, thence South 88 degrees, East 4.95 chains; thence South 4 chains, to the South line of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), thence West 13.25 chains to place of beginning, containing 5.20 acres, also

Commencing at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78), Range Twenty-eight (28), West of the Fifth P.M., Dallas County, Iowa, thence North 49.3 Rods to the South line of a strip of land owned by the Chicago, Rock Island and Pacific Railroad Co., thence Southerly parallel with the 150 feet distant Southerly from the center line of the right-of-way of the Chicago, Rock Island and Pacific Railroad Co. 127.26 Rods to a point where said line intersects the South line of said Southwest Quarter (SW $\frac{1}{4}$), thence East along said South line of said Southwest Quarter (SW $\frac{1}{4}$) 120.9 Rods to the Southeast corner thereof, to the place of beginning, containing 18.4 acres, also

Commencing at a point 120.9 Rods west of the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78), Range Twenty-eight (28), West of the Fifth P.M., Dallas County, Iowa, running thence West 15.8 rods to the right-of-way of the Chicago, Rock Island and Pacific Railroad Co., thence Northeast along said right-of-way 14.85 Rods; thence Southeast 6.66 Rods to place of beginning, containing 28/100 of an acre, also

Commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-eight (78), Range Twenty-eight (28), West of the Fifth P.M., Dallas County, Iowa, running thence North 1.29 $\frac{1}{2}$ chains to the South line of the Chicago, Rock Island and Pacific Railroad Co. right-of-way, thence Southwest along the South line of said right-of-way to a point 4.34 chains West of said Southeast corner of said 40 acres, thence East 4.34 chains to place of beginning containing 42/100 of an acre,

and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 1-77-28, Madison County, Iowa.

I further state that The Travelers Insurance Company has been and the Travelers Insurance Company is now in actual possession of said real estate, that they and their grantors have

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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 Dallas County, Iowa, and have 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 the taxes thereon.

This affidavit is made for the purpose of establishing title to the above described property in accordance with 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 wherever in the chain of title to the above land the names F. H. Emerson and Frank H. Emerson appear, the reference is to one and the same person; I further state that Henry Emerson, bankrupt in Bankruptcy case #7108 B, is not the same party as the F.H. Emerson or Frank H. Emerson named herein.

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.

W. Clifford Lienemann

Subscribed and sworn to before me, a Notary Public, this 30 day of March, A.D. 1940.
(Notarial Seal)

State of Iowa County of Madison)ss.

Harry F. Anderson Notary Public in and for
said County, Iowa.

I, Pearl E. Shetterly, 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 30 day of March, 1940.

PEARL E. SHETTERLY
Pearl E. Shetterly, Recorder

SEAL

Harry F. Anderson - - -