

Miscellaneous Record, No. 23, Madison County, Iowa

Shirley A. Webster

#2151

Filed for record the 4 day of
April A.D. 1940 at 9:03 o'clock
a.m.
Pearl E. Shetterly, RecorderTo
The Public

Fee \$.60

A F F I D A V I T

STATE OF IOWA MADISON COUNTY)SS:

I, Shirley A. Webster, being first duly sworn on oath depose and say that I am a practicing attorney in Winterset, Madison County, Iowa. That as attorney for D.W. Bates, Superintendent of Banking of the State of Iowa, Receiver of Madison County Savings Bank, of Winterset, Iowa, in Cause No. 16089 Equity in the District Court of the State of Iowa, in and for Madison County, I prepared the application which was filed in said Receivership on September 25, 1935, and order entered therein on October 12, 1935, pertaining to the conveyance of the following described real estate located and situated in Madison County, Iowa, to-wit:

West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and Southeast Quarter (SE $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty (30), in Township Seventy-five (75) North, of Range Twenty-seven (27) West of the 5th P.M.

to Joe Lindburg and of the further conveyance of the following described real estate located and situated in Madison County, Iowa, to-wit:

East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-one (31) in Township Seventy-seven (77) North, of Range Twenty-nine (29) West of the 5th P.M., and North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Six (6) in Township Seventy-six (76) North, of Range Twenty-nine (29) West of the 5th P.M.

to Joe Lindburg in consideration of a certain credit to be given by the Bondholders Protective Committee on a mortgage on certain other real estate described in said Application and Order. That in said Application and Order both of the tracts of real estate hereinbefore described were subject to first mortgages in favor of Joe Lindburg, the first tract of real estate hereinbefore described was subject to a mortgage in the original principal amount of \$12,300.00, said mortgage being dated April 20, 1928, and recorded in Mortgage Record Book 79 at page 91 thereof. That in said Application and Order it was intended to refer to and describe said mortgage but on account of a clerical error the amount of said mortgage was erroneously set out in said Application and Order.

That the last tract of real estate hereinbefore described was subject to a first mortgage then held by Joe Lindburg in the original principal amount of \$19,000.00, said mortgage being dated February 19, 1920, and recorded in Mortgage Record Book 71 at page 30 thereof. That in said Application and Order it was intended to refer to and describe said mortgage, but the amount of said mortgage was erroneously set forth as \$18,000.00.

That this affidavit is made at the request of the present owner of said premises to be filed of record for the purpose of more particularly and correctly describing the mortgages which were intended to be described in said application and order.

Dated at Winterset, Iowa, this 11th day of January, A.D. 1940.

Shirley A. Webster

NOTARIAL Subscribed and sworn to before me and in my presence by the said Shirley A. Webster this 11 day of January, A.D. 1940.

W.T. Guhier
Notary Public in and for Madison County