

1751 North

E. G. Banta
To
The Public

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Filed for record the 11 day of May
A.D. 1940 at 11:20 o'clock A.M.
Pearl E. Shetterly, Recorder
Wilma M. Wade, Deputy

A F F I D A V I T

STATE OF IOWA COUNTY OF Polk)ss.

I, E. G. Banta, being first duly sworn on oath, depose and state that I am a resident of Clarke County, Iowa, and have been such a resident continuously for more than a period of 36 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 and possession of the following described property, situated in the County of Clarke, State of Iowa, to-wit:

The North Half of the Northwest Fractional Quarter (N½NW¼) of Section Four (4), Township Seventy-three (73) North, Range Twenty-six (26), West of the 5th P.M., in Clarke County, Iowa,

Miscellaneous Record, No. 23, Madison County, Iowa

and

The South Half of the Southwest Quarter (S½SW¼) of Section Thirty-three (33) and the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section Thirty-three (33) except a tract of land described as follows: Commencing at the Northeast corner of forty acre tract, running thence West 40 rods, thence South to the middle of South River, thence down said river to the East line of said 40 acre tract, thence North to place of beginning, said exception containing 13 acres, more or less, all in Township Seventy-four (74) North, Range Twenty-six (26), West of the 5th P.M., in Madison County, Iowa.

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, immediate and remote, have been in actual, open, adverse, notorious, hostile, continuous and exclusive possession of said premises since and prior to January 1, 1920, as shown by the records of Madison 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, 1920, and that said possession has been peaceable and undisturbed and that the title has never been questioned or disputed to my knowledge or 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 Sections 11,024 and 11,030 of the 1939 Code of Iowa, and for the purpose of being recorded in accordance with the provisions of Sections 10,073 and 11,024 of the 1939 Code of Iowa.

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.

E. G. Banta

Subscribed and sworn to before me, a Notary Public, this 9th day of May, 1940.
(Notarial Seal)

C. C. Switzer

STATE OF IOWA COUNTY OF MADISON) ss.

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 11 day of May, 1940.

COMPALED

Pearl E. Shetterly, Recorder

Geo. Rutenschoen

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