

Miscellaneous Record, No. 23, Madison County, Iowa

Ed P. Smith et al

#3238

Madison County, Iowa.

Filed for record the 4 day of June
A.D. 1940 at 2:15 o'clock P.M.

To

Fee \$.60/

Pearl E. Shetterly, Recorder

The Public.

A F F I D A V I T

State of Iowa, County of Madison.)ss;

I, A.D. Guiberson, and I, Ed. P. Smith, of said county and state, being first duly sworn on oath depose and say that we have been residents of Madison County, Iowa, for more than 25 years last past, and during all of said time have lived in the neighborhood of and been familiar with the title, ownership, and occupancy of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 36-77-28, Madison County, Iowa, and know of our own personal knowledge that Lawrence A. NaLean entered into possession of said real estate on or about Apr. 11, 1922, under and by virtue of the warranty deed recorded in Deed Record 65, page 355, of the records of said county, and that he is the same and identical person as the L. A. NaLean who conveyed said real estate to his wife, Marguerite NaLean, on or about Feb. 7, 1939, by warranty deed recorded in Deed Rec. 75, page 45, of said records, and that they and their grantors for more than 25 years last past, have been in the actual, open, notorious, continuous, adverse, exclusive, uninterrupted, and peaceable possession, occupancy, and control

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of all of said real estate and every part and parcel thereof under claim of right and color of title, and have cultivated and fenced the same and paid the taxes thereon, and that no claim of any kind adverse to the possession of said parties has been asserted to any of said real estate to our personal knowledge.

We further state that during the past 25 years we have also been well and intimately acquainted with the title, ownership, and occupancy of the West 49.33 acres of the W. 1/4 of the NW 1/4 of Sec. 31-77-27, Madison County, Iowa, and know of our own personal knowledge that F. W. Tyler entered into possession of said real estate on or about Feb. 11, 1901, under and by virtue of the warranty deed recorded in Deed Rec. 42, page 216, of the records of said county, and that he and his grantees and successors in interest have been in the actual, open, notorious, continuous, adverse, exclusive, uninterrupted, and peaceable possession, occupancy, and control, of said real estate and every part and parcel thereof under claim of right and color of title for more than 25 years last past, and have cultivated and fenced the same and paid the taxes thereon, and that no claim of any kind adverse to the possession of said parties has ever been asserted to any of said real estate to our personal knowledge.

We further state that we are in no way interested in the title to said real estate but make this affidavit at the request of the present owners thereof for the purpose of establishing of record the facts above set forth.

A. D. Oniberson Ed W. Smith

Subscribed in my presence and sworn to before me by the above named affiants this 4 day of June, A.D. 1940.
(Notarial Seal)

Mabel C. Anderson Notary Public in and for
Madison County, Iowa

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 recorded in my office and entered on the records thereof on the 4th day of June, A.D. 1940, on behalf of the owners in possession of said real estate mentioned in said affidavit.

COMPARED

Pearl E. Shetterly, County Recorder of Madison
County, Iowa.