

H. G. Tilton

#3700

Filed for record the 1 day of July
A.D. 1940 at 2:03 o'clock P.M.

To

Fee \$.60 ✓

Pearl E. Shetterly

The Public

AFFIDAVIT

State of Iowa, Madison County,)ss

I, H. G. Tilton of said County and State being first duly sworn upon my oath depose and say that I am now and have been a resident of Madison County, Iowa, for more than 40 years last past, and I further state that I am well and personally acquainted with Walter Phillips one of the children of Hiram Phillips, deceased, who is named in the Probate Inventory filed in the Estate of Hiram Phillips, deceased, entered in Probate Docket "J", page 48 of the records in the Office of the Clerk of the District Court of Madison County, Iowa, and that said Walter Phillips is one and the same identical person as Walter Phillips named as one of the Defendants in Cause No. 16,111 in the Office of the Clerk of said Court, and the same and identical person as W. S.

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Phillips named in the Final Report filed in said Estate, and the same and identical person as W. S. Phillips who signed receipt for his distributive share in said Estate, and the same and identical person as Walter Phillips named in the Notice of Final Report filed in said Estate and the same and identical person as W. S. Phillips who joined in the execution of the Warranty Deed recorded in Deed Record 77, page 23 of the records of Madison County, Iowa, conveying to J. F. Willcox the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and a tract of land described as follows, to-wit: Commencing at the Southwest corner of the Northeast Quarter of the Northeast Quarter and running thence North 52 rods, thence East 26- $\frac{2}{3}$ rods, thence South 12 rods, thence East 53- $\frac{1}{3}$ rods, thence South 40 rods, thence West 80 rods to the Place of Beginning, all in Sec. 31, Twp. 76, Range 26, West of 5th P.M. Madison County, Iowa.

I further state that I am well and personally acquainted with Murl Fort grantee in the Quit Claim Deed recorded in Deed Record 72, page 155 of said records and know of my own personal knowledge that said Murl Fort is the same and identical person as Murl Fort assignee in Assignments of Mrs. Rosa M. Pace and L. D. Pace filed in the Estate of said Hiram Phillips, deceased; and the same and identical person as M. Fort named in the Final Report filed in said Estate, and the same and identical person as M. Fort who signed receipt for his distributive share in said Estate, and the same and identical person as Murl Fort named in the Notice of Final Report filed in said Estate, and the same and identical person as M. Fort one of the grantors in said Deed recorded in Deed Record 77, page 23 of said records.

I further state that wherever the name Walter Phillips and W. S. Phillips appear in connection with the title to said real estate or in the proceedings filed in the Estate of said Hiram Phillips, deceased the same refer to one, the same and identical person.

I further state that wherever the names Murl Fort and M. Fort appear in connection with the title to said real estate or in the proceedings filed in the Estate of said Hiram Phillips, deceased the same refer to one, the same and identical person.

I further state that I am in no way interested in the title to the property affected hereby but make this affidavit at the request of the present owners thereof for the purpose of establishing of record the facts herein stated.

H. G. Tilton
Notarified and Sworn to before me by the above named affiant this 1st day of July, A.D. 1940.

SEAL

Harry F. Anderson Notary Public
Madison County, Iowa.