

Miscellaneous Record, No. 23, Madison County, Iowa

J. C. Bennett

#4583

Filed for record the 31 day of August
A.D. 1940 at 11:50 o'clock A.M.

To

fee \$.50

Pearl E. Shetterly, Recorder

The Public

A F F I D A V I T

STATE OF IOWA COUNTY OF POLK)ss:

I, J. C. Bennett, being first duly sworn on oath, depose and state that I have been employed by Hawkeye Portland Cement Company since February, 1918; that I was employed by Iowa Portland Cement Company from Jan 12, 1912 to February, 1918; that I am familiar with the following described premises situated in Madison County, Iowa:

A tract of land commencing at the Northeast corner of the Southeast quarter (SE $\frac{1}{4}$) of Section 16, Township 77, North Range 26, West of the 5th P.M.; running thence West 16 rods, thence South 10 rods, thence East 16 rods, thence North 10 rods, to the point of beginning;

that I resided in Madison County, Iowa from Nov, 1914 to July, 1918, and in Polk County, Iowa from Feb 5, 1919 to the present time; that said premises were occupied and used by a school district, and that a school house existed thereon; that the school district abandoned said premises in Nov, 1920 and that thereafter said school house remained vacant and unused for 1 year and that said school house was removed in Sept, 1921, and that said premises have not been used for school purposes since spring, 1920; that Hawkeye Portland Cement Company acquired title to said premises from D. C. Fronaska and wife Etta Mae Fronaska, by warranty deed dated April 2, 1926 filed for record April 13, 1926, and recorded in Book 67, page 267; that Hawkeye Portland Cement Company immediately took actual possession thereof and that said Hawkeye Portland Cement Company has been in actual, visible, open, notorious, continuous, hostile, exclusive and undisputed possession thereof under claim of right and color of title, since said date, and has

Miscellaneous Record, No. 23, Madison County, Iowa

maintained said premises as its own property ever since; that I know the foregoing facts to be true of my own knowledge,

This affidavit is made at the request of the owner in possession.

Further deponent saith not.

J. C. Bennett

Subscribed and sworn to before me this 31st day of August, A.D. 1940, at Des Moines, Iowa.

NOTARIAL

SEAL

Casper Schenk Notary Public in
and for said County
My Commission expires July 4, 1942