

Miscellaneous Record No. 23. Madison County Iowa

Alf D. Danforth

#5732

Filed for record the 22 day of October,
A.D. 1940 at 9:25 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, Madison County,)ss.

I, Alf D. Danforth, a resident of said state and county, being sworn, depose and say as follows:

That I am the same Alf D. Danforth who conveyed the NW $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 34 and E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 33-76-27, subject to railroad right of way, to Nels Bertholf on Sept. 21, 1932, by deed recorded at page 446 of Deed Record 69, of Madison County, Iowa, records, which was made subject to a mortgage of \$19000.00 to American Commercial and Savings Bank, of Davenport, Iowa, and a certain lease to Winterset Limestone Company on part of the land; and the same Alf D. Danforth who entered into an agreement with American Trust Company, owner of said mortgage, and with Winterset Limestone Company, on Nov. 5, 1931, which is recorded at page 18 of Chattel Mortgage Record 55, of said records, in which agreement reference is made to a certain contract made by affiant with said Winterset Limestone Company providing for the quarrying of limestone rock and to certain royalties accruing under said contract to this affiant. That the only portion of the above described real estate affected by said contract, as is shown by copy of said contract dated Nov. 5, 1931, appended to said agreement, was that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 33-76-27 lying South of the South line of the right of way of the Chicago, Rock Island & Pacific Railroad Company. That so far as this affiant is concerned said contract providing for royalties accruing to him has long been terminated, and further, and as a matter of fact said contract did not in any sense apply to that portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 33 and that portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 34-76-27 lying North of the right of way of the Chicago Rock Island and Pacific Railway Company and Winterset Limestone Company acquired no quarrying rights or privileges under said contract in or to the land last above described.

That I am in no way interested.

Alf D. Danforth

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Subscribed in my presence and sworn to before me by the said Alf D. Danforth, this 21st day of
NOTARIAL
October, A.D. 1940.
SEAL

H. C. Foster Notary Public
in and for Madison County, Iowa.