

Miscellaneous Record, No. 23, Madison County, Iowa

Subscribed in my presence and sworn to before me by the said S. M. Hamilton and J. E.

NOTARIAL
Hamilton, affiants, this 25 day of February, A.D. 1941.
SEAL

H. C. Fosher Notary Public within and
for Madison County, Iowa.

Harry F. Anderson et al

#1348

Filed for record the 28 day of February
A.D. 1941 at 8:57 o'clock A.M.

To

Fee \$.60 ✓

Pearl E. Shetterly, Recorder

The Public

A F F I D A V I T

STATE OF IOWA MADISON COUNTY)SS:

I, Harry F. Anderson, of said State and County, being first duly sworn, upon my oath depose and say:

That I was Secretary of the Security Loan and Title Company, of Winterset, Iowa, a corporation, and the mortgages in a mortgage for \$3000.00, executed by J. G. Schoenenberger and wife, Rella Schoenenberger, of date July 14, 1921, and recorded on page 263 of Mortgage Record 66 of the records of Madison County, Iowa, upon the following described real estate, to-wit:

East Half of the Southwest Quarter of Section 8,
in Township 74 North, of Range 27, West of the
5th P.M., except the following tract: Commencing
at the Northwest corner of said tract, and running
thence South 2 rods, thence East 36 rods, thence
North 2 rods, thence West 36 rods to the Place of
Beginning,

and that I remained the Secretary of said Corporation until the expiration of its corporate charter and its final dissolution; that I have in my possession the Note Register of said Company which lists the above \$3000.00 mortgage and note secured thereby as "No. 1575"; and that in the space where said note and mortgage are listed there is a notation or entry to the effect that said note was paid in full to said Company by W. T. Guiher, Executor, on July 15, 1929 and that the note, mortgage and assignment of said mortgage were delivered to him.

I further state that said mortgage is the same mortgage mentioned as the first mortgage in the foreclosure of the second mortgage for \$1000.00 foreclosed in action No. 13,745 of the District Court of Madison County, Iowa;

I further state that I am in no way interested.

I, W. T. Guiher of said State and County, first being duly sworn, upon my oath depose and say:

That I was Executor of the Estate of John A. Guiher, Cause No. 3495 of the Probate Court of Madison County, Iowa; That as such Executor I filed my First Report on April 22, 1930 and the real estate covered by said mortgage is Inventory Item 3-V; That to avoid an action being begun to foreclose said mortgage and a contingent claim for the deficiency, if any, being filed against the Estate of John A. Guiher, I did on July 15, 1929, pay said mortgage indebtedness and reported the same in Paragraph 13 of my said Report and the amount that I paid is shown at Item 37 of my Bill of Particulars, attached to said Report; and That I have had the Clerk of the District Court attach said note to said Paragraph 13 to effect the cancellation of said mortgage and the Clerk has made an entry and the index to so shows.

Harry F. Anderson
W. T. Guiher

Subscribed in my presence and sworn to before me by Harry F. Anderson and W. T. Guiher,
NOTARIAL
respectively, on this 25th day of February, A.D., 1941.
SEAL

Daniel J. Gullery Notary Public
in and for Madison County, Iowa.