

Miscellaneous Record, No. 23, Madison County, Iowa

CERTIFICATE

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 filed in my office by the owner in possession as named in said affidavit or by his attorney-in-fact, as shown by the records, and recorded and entered on the records thereof on the 17 day of March, 1941.

M. Breen

#1843

Pearl E. Shetterly, Recorder

Filed for record the 17 day of March
A.D. 1941 at 1:50 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, M. Breen, being first duly sworn on oath, depose and state that I am a resident of Madison County, Iowa, and have been such a resident continuously for more than a period of 40 years, that I have personal knowledge of the matter hereinafter referred to and during all of said time have resided in the vicinity of and have been acquainted with the use, occupancy and possession of the following described property, situated in Madison County, Iowa, to wit:

Lot Two (2) in Block Six (6) of West Addition to
the Town of Winterset, Iowa,

I further state that George Montross has been and George Montross is now in actual possession of the said real estate, that he and his grantors, immediate and remote, have been in actual, open, adverse, notorious, hostile, continuous and exclusive possession of said premises since and prior to January 1, 1900, as shown by the records of Madison County, Iowa, and have held such possession under color of title, claim of right and claim of ownership in fee simple since and prior to January 1, 1900, and that said possession has been peaceable and undisturbed and that the title has never been questioned or disputed to my knowledge and belief. The aforesaid parties not only have been in actual possession but also have paid the taxes thereon.

This affidavit is made for the purpose of establishing title to the above described property in accordance with Sections 11,024 and 11,030 of the 1939 Code of Iowa, and for the purpose of being recorded in accordance with the provisions of Sections 10,073 and 11,024 of the 1939 Code of Iowa.

I further state that I am well and personally acquainted with the Marie Oberman Ruth who appears as one of the heirs in the estate proceedings of Alex Ruth, deceased, Probate #2048 and she is one and the same as the Marie O. Ruth, minor, who is referred to in the guardian's deed dated May 25, 1915, filed September 1, 1915 and recorded in Town Lot Deed Record 11, Page 615.

I further state that I am well and personally acquainted with the Wendel Nelson who appears as one of the grantees in the Quit Claim Deed dated May 10, 1940, filed May 28, 1940 and recorded in Town Lot Deed Record 26, Page 524 and he is one and the same as the Wendell Nelson who appears as one of the grantees in the Quit Claim Deed dated April 3, 1940, filed April 5, 1940 and recorded in Town Lot Deed Record 28, Page 47.

I further state that I make this affidavit from my own personal knowledge^{and} for the purpose of clearing the defects in the chain of title to the above described property.

Further affiant sayeth not.

M Breen

Subscribed and sworn to before me, a Notary Public, this 17 day of March, A.D. 1941.

(Notarial Seal)

Harry F. Anderson Notary Public
in and for Polk 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 filed in my office by the owner in possession as named in said affidavit, or by his attorney-in-fact, as shown by the records, and recorded and entered on the records thereof on the 17 day of March, 1941.

COMPARED

Pearl E. Shetterly, RECORDER