

Miscellaneous Record, No. 23, Madison County, Iowa

SEAL

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

Asa P.Dowler
To
The Public

#2851

Fee \$1.50

Filed for record the 1 day of
May A.D.1941 at 3:40 o'clock
P.M.
Pearl E. Shetterly, Recorder

A F F I D A V I T

State of Iowa, Madison County. ss.

I, Asa P. Dowler, of said county and state, being first duly sworn on oath depose and say that I am now the owner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 11, Twp.75, Range 26, in said County, except a tract commencing at the NW. corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and running thence South, 10° 7' E., 19.9 poles, thence N. 74 $\frac{1}{2}$ ° E. 48 poles, thence N., 10° 7' W., 10.2 poles, thence N., 74 $\frac{1}{2}$ ° E., 31.5 poles, thence N., 10° 7' W., 9.7 poles thence S., 74 $\frac{1}{2}$ ° W., 79.5 poles to the place of beginning containing 7.86 acres more or less; that said land which I now own was formerly owned by J.C.Vanatta, whose full name was John C.Vanatta (they being one and the same identical person), and that said J.C. (or John C.) Vanatta, and his wife, Phoebe J.Vanatta, are now both deceased, the said Phoebe J.Vanatta being his second wife. That his first wife's name was Mary Vanatta, who died prior to 1921. That I am informed that in some conveyances and mortgages of the above described land the said exception of 7.86 acres was not clearly described by metes and bounds, but that I know that the land which said J.C.Vanatta owned in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 11-75-26 was the land first above described, and that wherever in any instru-

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ments executed by or to said J.C.Vanatta the said exception of 7.86 acres is mentioned, it is intended to be the same exception above described, the West 232.2 feet of which is now owned by J.F.Moody, and the remainder of which is now owned by A.E.Scrivner, although the descriptions of the land owned by J.F.Moody and by A.E.Scrivner may be described by feet, they are intended to be parts of the above described exception of 7.86 acres. I further state that the said A.E. Scrivner and his grantors for more than 20 years last past, have been in the actual, open, notorious, continuous, adverse, exclusive, uninterrupted and peaceable possession of said 7.86 acre tract above described, with the exception of the West 232.2 feet thereof, and except railroad right of way, under claim of right and color of title, and that said J.C.Vanatta, nor anyone claiming by, through, or under him, has ever asserted or claimed any interest therein adverse to the said A.E.Scrivner, and that said A.E.Scrivner now enjoys peaceable possession thereof.

I further state that I am in no way interested in the title to the above described 7.86 acre tract, but make this affidavit at the request of the present owners thereof for the purpose of establishing of record the facts above set forth.

Asa P.Dowler

Subscribed in my presence and Sworn to before me by the above named affiant this 1st day

NOTARIAL
of May, A.D. 1941.
SEAL

Harry F.Anderson
Notary Public in and for Madison County, Iowa