

Miscellaneous Record, No. 23, Madison County, Iowa

Joseph H. McManus et al

#4369

Notary Public
within and for Madison County, Iowa.
Filed for record the 1 day of December
A.D. 1942 at 2:55 o'clock P.M.

To

Fee \$.70

Pearl E. Shetterly, Recorder

The Public

A F F I D A V I T

State of Iowa, Madison County.)as:

I, Joseph H. McManus, and I, Elizabeth Walker, of said County and State, each being first duly sworn on oath depose and say that we have been residents of the vicinity of the Town of Bevington, in Madison and Warren Counties, Iowa, for more than 40 years last past, and during all of said time have lived in the neighborhood of and been familiar with the title, ownership, and occupancy of the SE $\frac{1}{4}$ of Sec. 24 and NE $\frac{1}{4}$ Fr $\frac{1}{4}$ of the NE $\frac{1}{4}$ Fr $\frac{1}{4}$ of Sec. 25, and 1.25 acres being all that part of the SE $\frac{1}{4}$ Fr $\frac{1}{4}$ of the NE $\frac{1}{4}$ Fr $\frac{1}{4}$ of Sec. 25 which lies North of the plat of the town of Bevington; and we know of our own personal knowledge that the Anna Elizabeth Weil named in the last will and testament of Conrad Weil, deceased, was the same and identical person as the Anna E. Weil named in the registry of heirs filed in the proceedings in the estate of said Conrad Weil, deceased, and that she was also the same and identical person as the Anna Elizabeth Strable who died testate in Madison County, Iowa, on or about Feb. 8, 1939, and whose estate was probated in the District Court of Madison County, Iowa, as #4376 Probate, and docketed in Probate Docket "K", page 303, of the records in the office of the Clerk of the said court. We further state that the said Anna Elizabeth Strable died seized of the real estate above described, and that she left as her sole devisee her husband, Enoch Strable, and that she had no predeceased child or children, and left no adopted child or children, no issue of any deceased child or children, and no issue of any adopted child or children, and had no child or children born to her or adopted by her subsequent to the execution of her last will and testament on Dec. 28, 1931. We further state that the said Enoch Strable at the time of his death on or about Nov. 25, 1941, was a widower, he never having remarried after the death of his said wife, Anna Elizabeth Strable, on or about Feb. 8, 1939. All of said land being in Twp. 76, Range 26, Madison County, Iowa.

We further state that the above named Conrad Weil entered into possession of the above described real estate more than 40 years ago, and know of our own personal knowledge that he and his devisee and successors in interest, to and including the owners now in possession of said real estate, have been in the actual, open, notorious, ^{continuous,} adverse, exclusive, uninterrupted and peaceable possession, occupancy, and control of all of said real estate and every part and parcel thereof under claim of right and color of title, have cultivated and fenced the same, and paid the taxes thereon and received the rents, issues and profits thereof, and that no claim of any kind adverse to the possession of said persons has ever been asserted to any of said real estate to our personal knowledge for more than 40 years last past.

We further state that we are in no way interested in the title to said real estate, but make this affidavit at the request of the present owners thereof for the purpose of establishing of

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record the facts above set forth.

Joseph H. McManus
Elizabeth Walker

Subscribed in my presence and Sworn to before me by the above named affiants this 30 day of November A.D. 1942.

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

(Notarial Seal)

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 1 day of December, A.D. 1942.

COMPARED,

Pearl E. Shetterly
County Recorder of Madison County, Iowa.