

Miscellaneous Record, No. 24, Madison County, Iowa

O. V. White

#1987

in and for Madison County, Iowa.

To
The Public

Fee \$1.00

Filed for Record the 18 day of July,
A.D. 1945 at 12:00 o'clock M

Pearl E. Shetterly, Recorder

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF IOWA, DALLAS COUNTY: SS

I, O. V. White, being first duly sworn, on oath depose and say that I am a son of Michael White, Jr., 76 years of age, and a lifelong resident of Dallas County, Iowa; that the facts stated in this affidavit are within my personal knowledge; and that this affidavit is made and filed at the request of the owner of the real estate for the purpose of perfecting title.

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I state that I am personally acquainted with the title, possession and ownership of the following described real estate located in Madison County, Iowa, to-wit:

The Southwest Quarter of the Northeast Quarter, and the Northwest Quarter of the Southeast Quarter of Section 24, Township 77 North, Range 28, West of the Fifth P.M.,

which property belonged to my grandfather, Michael E. White, Sr., for many years prior to his death on or about July 18, 1881, and which property was subsequently conveyed by his widow and heirs to William D. Fisher shortly after the death of said Michael E. White, Sr., and

The Northeast Quarter of the Southwest Quarter of Section 24, Township 77 North, Range 28 West of the Fifth P.M.,

which property was purchased by W. D. Fisher on August 25, 1882, and recorded in Deed Record 20, at Page 333, in the office of the Recorder of Madison County, Iowa, and that the said W. D. Fisher who purchased said property is one and the same person as William D. Fisher who purchased the property from the widow and heirs-at-law of Michael E. White, Sr., on or about the same time.

that
This affiant further states that I know/Elle Brand and Florence Scott, present title owners, of the above described real estate, and their mother, Mary E. Fisher, and their father W. D. Fisher, and their grantors, immediate or remote, in the chain of title to said real estate, have been in open, continuous, notorious, adverse and undisturbed possession of said real estate for a period of more than 60 years, and that no person, firm or corporation has during said period, claimed or asserted any interest in said real estate adverse to or in opposition to the claim, right, title and possession by the said Elle Brand and Florence Scott, and their grantors, immediate and remote, in the chain of title to said real estate.

Affiant further states that said W. D. Fisher died on or about the 7th day of April, 1916, and that his estate was probated in Dallas County, Iowa, and that his wife, Mary E. Fisher, died May 28, 1928, and that her estate was probated in Dallas County, Iowa, and that she never remarried after the death of her husband, W. D. Fisher.

That said W. D. Fisher was survived by a daughter, Kate Fisher, who died on or about the 31st day of December, 1926, intestate and unmarried, and leaving as her sole heirs and beneficiaries her mother, Mary E. Fisher and her two sisters, Elle Brand and Florence Scott.

That the cash bequests provided for under the last Will and Testament of W. D. Fisher of \$200.00 each to his daughters, Elle Brand, Kate Fisher and Florence Sheild, and his grandchildren, Frances Brand, Marie Sheild and Winford Sheild, were all paid to said heirs and legatees by certificates of deposit in their individual names by the Deceased prior to his death and distributed after his death by his widow, Mary E. Fisher.

That the person named as Florence Sheild, daughter of W. D. Fisher, is one and the same person as Florence Shield, thereafter named in said estate proceedings of W. D. Fisher, and Florence Scott, referred to in the last Will and Testament of Mary E. Fisher, and in the proceedings in her estate matter, said Florence Shield having married a man by the name of Scott subsequent to her father's death, but prior to her mother's death.

That the Marie Sheild named in the Will of W. D. Fisher is one and the same person as Marie Shield thereafter referred to in said estate of W. D. Fisher, and one and the same person as Marie Shields named in the last Will and Testament of Mary E. Fisher, and in her estate proceedings; and that Winford Sheild named in the Will of W. D. Fisher is one and the same person as Winford Shield thereafter referred to in said Estate of W. D. Fisher; and one and the same person as Winfred F. Shields named in the last Will and Testament of Mary E. Fisher, and in her estate proceedings.

Affiant states that all of the above statements are made of his own personal knowledge.

O. V. White

Subscribed and sworn to before me by the above Named O.V. White on this 18th day of

State of Iowa
Madison County }
I hereby certify that the annexed affidavit was filed by
Lester Mendenhall, Clerk. Dated July 18, 1945

the owner in possession of the

Deed to Elle Brand and Florence Scott

Record

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JULY 18, 1945.
SEAL

Clarence Dunn Notary Public
in and for Dallas County, Iowa.

R. B. Hunter and