

## Miscellaneous Record, No. 24, Madison County, Iowa

H. W. Braack and  
A. P. Sindt  
To  
The Public

#2009

Fee \$ .90

Filed for record the 21 day of  
July A.D. 1945 at 8:57 o'clock  
A.M.  
Pearl E. Shetterly, Recorder

AFFIDAVIT OF OWNER

STATE OF IOWA, SCOTT COUNTY. ) SS:

We, H. W. BRAACK and A. P. SINDT, each being duly sworn, on our oaths depose and say:

That we are each an Assistant Trust Officer of the DAVENPORT BANK AND TRUST COMPANY, which is a banking corporation organized and existing under the laws of Iowa, having its principal place of business in the City of Davenport, Scott County, Iowa, and as such is now the Trustee of the Special Fund under the Last Will and Testament and Codicil of Max D. Petersen, deceased, as construed by, and under the appointment of, the District Court of Iowa, in and for Scott County;

That as such Assistant Trust Officers of said banking institution, acting as Trustee as aforesaid, we have each become and are well acquainted with the matters pertaining to the various real properties belonging to said trust estate, including the real estate herein-after particularly described;

That the said DAVENPORT BANK AND TRUST COMPANY, AS TRUSTEE OF THE SPECIAL FUND UNDER THE LAST WILL AND TESTAMENT AND CODICIL THEREOF OF MAX D. PETERSEN, DECEASED, AS CONSTRUED BY THE DISTRICT COURT OF IOWA, IN AND FOR SCOTT COUNTY, acting under the authority of and appointment by said Court, is the present holder and record owner of that tract of real property lying in the County of Madison and State of Iowa, which is particularly described as:

The North Half (N $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ); the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ); the West Half (W $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ); the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) except three acres in the Northwest corner thereof lying North of Middle River; and the following described tracts of land, to-wit: Commencing at the Northeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ); running thence West to the center of the channel of Middle River; thence down said River by the following changes and distances: South nineteen degrees (19°) West three and thirty-eight one-hundredths (3.38) chains, South thirty-two degrees (32°) East nine and seventy-five one-hundredths (9.75) chains, South forty-five and one-half degrees (45 $\frac{1}{2}$ °) East to the East line of said forty acre tract; thence North to the place of beginning; and, commencing at the Northwest corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ); thence East three (3) chains to Middle River; thence South two degrees (2°) West six and fifteen one-hundredths (6.15) chains; thence South forty-five degrees (45°) East, six (6) chains; thence North eighty-five degrees (85°) East thirteen (13) chains to the East line of said forty acre tract; thence South on said East line ten and eighty-eight one-hundredths (10.88) chains to the Southeast corner of said forty acre tract; thence West on the South line of said forty acre tract to the Southwest corner thereof; thence North on the West line of said forty acre tract to the place of beginning, being all that part of said Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) lying and being South and West of Middle River; and also all that part of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) lying and being West and North of Middle River and containing thirty (30) acres, more or less; all of the foregoing described land lying and being in Section Fifteen (15); and the West one-fourth (W $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Fourteen (14); all in Township Seventy-five (75), North, of Range Twenty-nine (29), West of the 5th P.M.

That the said corporation, as Trustee as aforesaid, is the sole holder and owner of the fee simple record title to the above described real estate and is now in the possession of every part thereof; that as such holder and owner of said record title, together with its grantors, immediate and remote, as shown by the record to have held chain of title to said real estate, have been in possession thereof <sup>in</sup>uninterruptedly, continuously, openly, and adversely to all others for more than twenty-five years prior to this date;

State of Iowa  
Madison County ) ss.

I hereby certify that the aforesaid affidavit was filed by

Land's Record Office.

Dated July 21 1945

Pearl E. Shetterly  
Recorder

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That the foregoing facts and statements are made and sworn to of our own personal knowledge.  
Dated at Davenport, Iowa, June 16, 1945.

H. W. Braack  
H. W. Braack  
A. P. Sindt  
A. P. Sindt

Subscribed and sworn to before me this 16th day of June, 1945, in Davenport, Iowa, by  
H. W. Braack and A. P. Sindt, each to me personally known to be an Assistant Trust Officer  
of the Davenport Bank and Trust Company.  
(Notarial Seal)

Jas. W. Bollinger Notary Public  
in and for Scott County, Iowa.

REQUEST BY THE OWNER FOR RECORDATION.

The Davenport Bank and Trust Company, as Trustee of the Special Fund under the Last Will  
and Testament and Codicil of Max D. Petersen, deceased, as the owner in possession of the  
real estate described in the above affidavit, does hereby file said affidavit with the  
Recorder of Madison County, Iowa, and requests him to record and index the same and to  
enter upon the margin of his record thereof a certificate, all as by statute provided.

DAVENPORT BANK AND TRUST COMPANY,  
TRUSTEE OF THE SPECIAL FUND UNDER THE  
WILL OF MAX D. PETERSEN, DECEASED  
Holder and Owner

by H. W. Braack  
H. W. Braack  
and A. P. Sindt of said bank.  
A. P. Sindt Assistant Trust Officer

COMPANED