

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

Curtis C. Everitt

#3650

Filed for record the 28 day of  
August A.D. 1946 at 2:13 o'clock  
P.M.  
Pearl E. Shetterly, Recorder

To  
The Public

Fee \$ 1.50

Affidavit for correction of  
Discrepancies in Title

STATE OF IOWA)

SS

COUNTY OF POLK)

I, Curtis C. Everitt, being first duly sworn upon oath depose and say that I am the one and same identical person as C.C. Everitt who is named as one of the purchasers in a written contract under date of September 18, 1944 recorded in Deed Record 80 at page 584 on October 6, 1945, in the office of the County Recorder of Madison County, Iowa, wherein Mary Farris, single, as Seller agreed to convey to G.C. Everitt and wife Ethel and this affiant, C.C. Everitt and wife Madeline Everitt as Purchasers, the following described real estate, to wit:

The West Half ( $\frac{1}{2}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ), the West Three-fourths ( $\frac{3}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ), the East One-Fourth ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) except the South 64 rods thereof, the South Half ( $\frac{1}{2}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ), and the South Half ( $\frac{1}{2}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) except 1 acre out of the Southeast corner thereof used for school purposes, all in Section Thirty-six (36), in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M.; and the Northeast Fractional Quarter ( $\frac{1}{4}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) of Section One (1), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except a strip deeded to Madison County, Iowa, for road purposes 20 feet wide on each side of a line beginning 9 rods and 2 feet West of the Northeast corner of said Section One (1), thence in a Southeasterly direction about 40 rods to intersection of old highway on the East line of said Section One (1); all in Madison County, Iowa.

That where my name appears of record in Madison County, Iowa in connection with the title to said real estate as C.C. Everitt and/or Curtis C. Everitt, they refer to the one and same identical person as this affiant and the correct and legal manner of writing and spelling my name is Curtis C. Everitt. That I am one and same identical person who is named as one of the Sellers in a written contract under date of July 9, 1945, recorded in Deed Record 80 at page 595 on the 17th day of November, 1945 in the office of the County Recorder of Madison County, Iowa, wherein this affiant, whose name appears in said contract as C.C. Everitt, with Madeline Everitt and G.C. Everitt Estate by Ethel G. Everitt, Administratrix, Party of First Part and Sellers agreed to sell and convey the real estate above described to A.A. Rissien and Sonia Rissien, Party of Second Part and Purchasers.

I further state that I am the one and same identical person who is listed as one of the heirs of the Estate of Guy Chester Everitt who was my natural father and who died intestate at Des Moines, Iowa on January 18, 1945 whose estate was administered in the Probate Division of the District Court of Iowa in and for Polk County and designated as the Estate of Guy Chester Everitt, Deceased, Probate No. 30784 Docket 101, a transcript of said Probate Proceedings was filed in the office of the Clerk of the District Court of Madison County, Iowa on June 28, 1945 in Probate Docket "L" at page 205 and designated as Number 4860 Probate, in which the name of this affiant is listed as Curtis G. Everitt.

I further state the G.C. Everitt and Guy Chester Everitt, who was the natural father of this affiant and who died intestate in Des Moines, Iowa on January 18, 1945, is the one and same identical person named in the contracts for the sale of the real estate above described which contracts are recorded in the office of the Recorder of Madison County, Iowa in Deed Record 80 at pages 584 and 595, respectively, and as more particularly set out heretofore in this affidavit. That where the names of G.C. Everitt and/or Guy Chester Everitt appear of record in Madison County, Iowa, in any instruments or proceedings in connection with the title to the real estate above described, they refer to the one and same identical person and the proper and legal manner of writing and spelling of the name of my father was Guy Chester Everitt.

I further state that I am the lawful wedded husband of Madeline Everitt who is the one and same identical person whose name appears as Madeline Everitt and Madeline Everitt in the

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

written contracts above referred to in connection with the sale of the real estate above described which contracts are recorded in the office of the Recorder of Madison County, Iowa in Deed Record 80 at pages 584 and 595, respectively.

That where the names of Madeline Everitt and Madeline Everitt appear in connection with the title to the real estate above described in any instruments appearing of record in Madison County, Iowa affecting the title to said real estate, they refer to the one and same identical person and the proper manner of writing and spelling her name is Madeline Everitt.

I further state that in the written contracts of sale of the real estate described therein which contracts are recorded in Deed Record 80 at pages 584 and 595, respectively, in the office of the Recorder of Madison County, Iowa, one tract of said real estate is erroneously described in both of said contracts as "and the W. 32 Acres of the SE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Sec. 36-76-27".

I state that it was intended by all parties in the two contracts above referred to that the said tract of the real estate intended to be conveyed and that was conveyed by the terms of the two contracts referred to above by all parties thereto should have been described as follows to-wit:

"The West Three-fourths ( $\frac{3}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ), the East one-fourth ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) except the South 64 rods thereof, Section 36, Township 76 - North, Range 27, West of the 5th P.M., Madison County, Iowa, containing 32 acres", together with the other real estate described in said contracts.

I further state that Ethel G. Everitt is my natural mother and the lawfully wedded wife of Guy Chester Everitt whose name also appears of record in Madison County and Polk County, Iowa, respectively, as G.C. Everitt; that Ethel G. Everitt and Ethel G. Everitt Administratrix of the Estate of Guy Chester Everitt, Deceased, is the one and same identical person.

I state my mother, Ethel G. Everitt after the death of my father, Guy Chester Everitt remained a widow and never married.

I state that this affidavit is made and filed at the request of the owners in possession of the real estate above described for the purpose of clarifying title to said real estate above described. Dated at Des Moines, Iowa on this 15th day of August, 1946.

Curtis C. Everitt

Subscribed and sworn to before me and in my presence on this 15th day of August, 1946 by

Curtis C. Everitt,

NOTARIAL

SEAL

Henry P. Dely  
Notary Public in and for Polk County, Iowa