

Miscellaneous Record, No. 24, Madison County, Iowa

Ed Schoenenberger & L. W. Hull
To

#3854

Filed for record the 30 day of August
A. D. 1947 at 8:28 o'clock A. M.

Fee \$.70

Wilma M. Wade, Recorder

The Public

AFFIDAVIT

State of Iowa Madison County,) ss:

I, Ed Schoenenberger, and I, L. W. Hull of said county and state, each being first duly sworn on oath depose and say that we have been residents of Madison County, Iowa, for more than 25 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 Blocks 17, 18, and 19 in the Original Town of Peru, Madison County, Iowa, and the W $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 3, except the N. 12 rods and 9 feet of the W. 40 feet thereof, and except a tract commencing at the SE. corner thereof and running thence N. 639 feet, thence W. 90.2 feet, thence S., 35° 1' W., 731.4 feet, thence W. 150 feet, thence S. 40 feet to the SW. corner of said 20-acre tract, thence E. along the S. line thereof to the point of beginning and containing 4.77 acres more or less; and the W. 10 chains of the S. 4.10 chains of the Northwest Quarter ($\frac{1}{4}$) of the SE $\frac{1}{4}$ of Sec. 3, except a tract commencing at the SW. corner thereof and running thence E. 40 feet, thence N. 3 rods and 11 $\frac{1}{2}$ feet, thence E. 20 feet, thence N. 12 rods and 11.6 feet, thence W. 60 feet, thence S. 16 rods and 6.6 feet to the place of beginning; in Twp. 74, Range 27, Madison County, Iowa; and we know of our own personal knowledge that Ora Simmons entered into possession of said real estate on or about Mar. 26, 1910, under and by virtue of the warranty deed recorded in Deed Record 53, page 191, of the records of said county and state, and that he and his grantors, immediate and remote, and his heirs at law, for more than 20 years last past, 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 occupied the same either by themselves or their tenants claiming under them, have 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 parties has ever been asserted to any of said real estate to our personal knowledge during the past 20 years.

We further state that the above named Ora Simmons died intestate in Madison County, Iowa, on or about October 21, 1938, leaving surviving him as his widow and only heirs at law, his widow Charlotte E. Simmons, his sons, Lenzil F. Simmons, and O. Dale Simmons, and his daughter, Edith L. Perry, and that he left no adopted children, no issue of any deceased child or children, and no issue of any adopted child or children; that his estate was not administered in any court but that all his just debts and funeral expenses and expense of last illness were fully paid, and that his estate, including personal and real property, and the proceeds of any life insurance policies, did not exceed the total value of \$5000.00

We further state that we are in no way interested in the title to the above described real estate, but make this affidavit at the request of the present owner thereof for the purpose of establishing of record the facts above set forth.

Ed Schoenenberger
L. W. Hull

Subscribed in my presence and Sworn to before me by the above named affiants this 29 day of August, A. D. 1947.

(Notarial Seal)

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

State of Iowa, Madison County.) ss:

I, Wilma M. Wade, County, Recorder in and for said county and state aforesaid, hereby certify that the foregoing affidavit was filed in my office by the owners in possession as named in said affidavit, and recorded and entered on the records thereof on the 30 day of August, A. D. 1947.

COMPARED

Wilma M. Wade County Recorder
of Madison County, Iowa.