

Miscellaneous Record, No. 25, Madison County, Iowa

NOTARIAL
January 1948.
SEAL

Subscribed and sworn to before me by the said Mary P. Bussanmas this 2nd day of

Gertrude Zigeler Notary Public
in and for Polk County, Iowa

Harry F. Anderson
To

#256 Filed for record the 19 day of January
A. D. 1948 at 11:50 o'clock A. M.

Fee \$.50

Wilma M. Wade, Recorder

The Public

A F F I D A V I T

STATE OF IOWA COUNTY OF (MADISON) SS.

IN THE MATTER OF THE TITLE TO THE East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twelve (12), in Township Seventy-four (74) North, of Range Twenty-six (26) West of the 5th P. M. in the County of Madison and State of Iowa and, also, the Northwest Fractional Quarter of the Northwest Fractional Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) (except the South 50 feet thereof) of Section Seven (7), in Township Seventy-four (74) North, of Range Twenty-five (25) West of the 5th P. M. in the County of Warren and State of Iowa.

I, Harry F. Anderson, being first duly sworn, depose and say that I was well and personally acquainted with Bess Frank one of the vendees in that certain Real Estate Contract dated June 26, 1947 and recorded in Book 82 at Page 393 and re-recorded in Book 82 at Page 395 of the records in the office of the Recorder of Madison County, Iowa; that I was also well and personally acquainted with Bess M. Frank one of the grantees in that certain Warranty Deed dated November 4, 1947 and recorded in Book 83 at Page 373 of the records in the office of the Recorder of Madison County, Iowa and which Deed was also recorded in Book 115 at Page 435 of the records in the office of the Recorder of Warren County, Iowa; that I was also well and personally acquainted with Bess Frank one of the mortgagors in that certain Mortgage dated September 15, 1947 and recorded in Book 98 at Page 391 of the records in the office of the Recorder of Madison County, Iowa and which Mortgage was also recorded in Book 101 at Page 268 of the records in the office of the Recorder of Warren County, Iowa; and I know of my own personal knowledge that the said Bess Frank and Bess M. Frank were one and the same identical person.

This Affidavit is made at the request of the owner of said above described premises, for the purpose of explaining certain irregularities in the record title thereto and the statements herein contained are all true as I verily believe.

Harry F. Anderson

Subscribed and sworn to by Harry F. Anderson before me in my presence this 19th day of January, A. D. 1948.

COMPARED

(District Court Seal)

Rex V Johnson, Clerk of Court
in and for Madison County, Iowa.

Geo. C. Pringle
To

#330 Filed for record the 23 day of January
A. D. 1948 at 2:00 o'clock P. M.

Fee \$.50

Wilma M. Wade, Recorder

The Public

A F F I D A V I T

STATE OF IOWA MADISON COUNTY SS

I, George, C. Pringle, of lawful age, being first duly sworn on oath, depose and say that I am a resident of Madison County, Iowa, and have been such resident for more than one (1) year last past, and that I am a member of Dick and Pringle, a Co-partnership, which is on even date herewith, executing a bill of sale to Harvey Fox and Carl D. Smith, for the personal property and building described as follows:

Grain Elevator and all fixtures and equipment located therein which is presently situated on the real estate belonging to the Chicago, Rock Island & Pacific Railway Company in the Town of Patterson, Iowa, described as follows:

Beginning at a point one hundred fifty (150) feet easterly from the easterly end of the Chicago, Rock Island and Pacific Railway Company's depot and measured along the center line of said Railway Company's passing track, said point being eight and five-tenths (8.5) feet northerly from the center line of said passing track, measured at right angles thereto; thence northerly at right angles to the center line of said passing track fifty-two (52)

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feet, more or less, to a point on said Railway Company's northerly right of way line; thence easterly along said northerly right of way line fifty (50) feet; thence southerly at right angles to the center line of said passing track fifty (50) feet, more or less, to a point eight and five-tenths (8.5) feet northerly, at right angles, from the center line of said passing track; thence westerly parallel with the center line of said track; thence westerly parallel with the center line of said passing track fifty (50) feet to said point of beginning.

and further state that the property conveyed by said bill of sale is not merchandise for re-sale and is not subject to the Bulk Sales Law of the State of Iowa, and that in truth and in fact the firm of Dick and Pringle have not transacted any business of mercantile character on, in, or about the property above described since on or about September 1, 1947, and they have not and will not by said bill of sale convey any merchandise for re-sale to said Harvey Fox and Carl D. Smith, and that they are not in debt at the present time, neither is said firm of Dick and Pringle in debt, and no inventory is being furnished for the reason no merchandise is being sold at wholesale or otherwise for re-sale.

Further affiant sayeth not.

NOTARIAL
SEAL

Geo. C. Pringle.

Subscribed and sworn to before me this 23rd day of January, 1948.

John G Regan Notary Public
in and for Dallas County, Iowa.

Lon E. Smith
To

#335

Filed for record the 23 day of January
A. D. 1948 at 4:10 O'clock P. M.

Fee \$.50 VC

Wilma M. Wade, Recorder
Lois J. Porter, Deputy

The Public

AFFIDAVIT

State of Iowa, Madison County, ss.

I, Lon E. Smith, being sworn, depose and say as follows:

That I am now and have been for more than 50 years last past, a resident of Madison County, Iowa; that I am the natural father of the Lyle H. Smith who is named as one of the grantees in a certain warranty deed executed by Alberta Rowe, dated Sept. 17, 1945, filed for record on Mar. 5, 1946, and recorded in Deed Record 83, at page 40, of Madison County, Iowa, records, which conveys a tract of land bounded by and included within a line running as follows: Commencing at a point 821 feet 8 inches East of the Southwest corner of Section 10, in Township 74 North, of Range 29 West of the 5th P. M., running thence North 533 feet, thence East parallel with the South line of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of said Section 10 to the East line thereof, thence South to the Southeast corner of said 40 acre tract, thence West to the place of beginning, containing 6 acres, more or less.

That the full, true and correct name of my said son, Lyle H. Smith, grantee above referred to, is Lyle Hyampsul Smith, said name, Lyle Hyampsul, having been given my said son, Lyle H. Smith/(or Lyle Hyampsul Smith) is not the Harold Smith against whom a fine of \$300.00 and costs was assessed in favor of the State of Iowa, in Cause No. 152, Criminal, at page 152 of Docket 1, as shown by the records in the office of the Clerk of the District Court of Madison County, Iowa, nor is he the Harold Smith against whom Ray Conley recovered a judgment in the amount of \$24.85 with interest at 5%, and costs, on Sept. 12, 1947, in Center Township Justice Court, as shown at page 248 of Docket 14, in the office of said Clerk of the District Court.

That I am in no way interested and make this affidavit for the sole purpose of establishing of record the facts herein recited.

Lon E Smith

Subscribed in my presence and sworn to before me by the said Lon E. Smith, affiant,

NOTARIAL
SEAL

of January, A. D. 1948.

H. C. Foshier Notary Public
within and for Madison County, Iowa.