

Miscellaneous Record, No. 25, Madison County, Iowa

Willis A. Gillogly
To
F. P. Henderson

#352
Fee \$.50 *VE*

Filed for record the 24 day of January
A. D. 1948 at 11:04 o'clock A. M.
Wilma M. Wade, Recorder
Lois J. Porter, Deputy

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That I, Willis A. Gillogly State of Iowa do by these presents MAKE, CONSTITUTE and APPOINT F. P. Henderson of the County of Warren and State of Iowa my true and lawful attorney for me, and in my place and stead to bargain and sell, and by warranty or other deed to grant and convey, to such person or persons, at such price or prices, and on such terms of payment as is in his judgment may be most advantageous to me, either the whole or any part or parts of any real estate now owned by me, or hereafter acquired by me ~~of hereafter acquired by me~~ and wherever situated, and to transact any and all other items of business of whatever kind and character, including the sale and assignment of stocks, bonds, and other securities, and to transact any and all business on behalf of me which I might do if personally present.

Giving and Granting unto my Attorney full power and authority to do and perform all and every act and thing whatever required, and necessary to be done in and about the premises, as fully as I might or could do if personally present, reserving the right to revoke this Power at pleasure; and I hereby ratify and confirm all that my said Attorney may lawfully do in the said premises by virtue hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of May, A.D., 1947.

Willis A. Gillogly (L.S.)

STATE OF ICWA, Warren County, ss.

BE IT REMEMBERED, That on this 21st day of May, A. D. 1947, before me W. M. Wilson a Notary Public in and for Warren County, Iowa, personally appeared Willis A. Gillogly to ~~me known as~~ **NOTARIAL** be the person named in and who executed the foregoing instrument and acknowledged that ~~he~~ executed the same as his voluntary act and deed.

W.M. Wilson Notary Public
in and for Warren County, Iowa.

Clyde J Shearer et al
To
Ed Lavalleur

#411
Fee \$.50 *VE*

Filed for record the 28 day of January
A. D. 1948 at 2:45 o'clock P. M.
Wilma M. Wade, Recorder

GRANT OF RIGHT TO USE WALL OF ADJOINING BUILDING

THIS INDENTURE made this 29th day of May A. D. 1947, between CLYDE J. SHEARER, DALE H. SHEARER and R. REX ROUSE, parties of the first part, and ED LAVALLEUR, party of the second part:

WHEREAS, the parties of the first part are the owners of a lot of land described as the West Twenty-two (22) feet of Lot Three (3) in Block One (1) of the Original Town of East Peru, Madison County, Iowa, and the party of the second part is the owner of another lot of land adjoining thereto and described as the East Twenty-two (22) feet of Lot Four (4) in Block One (1) of the Original Town of East Peru, Madison County, Iowa; and,

WHEREAS, there has been erected on the said land of the parties of the first part a building, the westerly wall whereof adjoins the said land of the party of the second part who is about to erect a building thereon.

NOW, THIS INDENTURE WITNESSETH that in consideration of the sum of One Hundred (\$100) Dollars to them in hand paid, the receipt whereof is hereby acknowledged, the parties of the first part hereby grant to the party of the second part, his heirs and assigns, the right to use the said wall as and for the easterly wall of his said building, and to that end in the erection thereof to insert in the said wall the necessary beams and joists, and to so maintain the same so long as the parties of the first part, their heirs or assigns, shall see fit to leave the said wall standing, such beams and joists to be first approved by the parties of the first part, and the party of the second part, his heirs and assigns repairing any damage which may be occasioned by making such insertions and by thenceforth

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maintaining same.

IN WITNESS WHEREOF we have hereunto set our hand this 29th day of May A. D. 1947.

Clyde J Shearer Dale H. Shearer R. Rex Rouse Ed Lavalleur Party of the Second Part Parties of the First Part

STATE OF IOWA MADISON COUNTY) SS

On this 29 day of May A. D. 1947, before me, the undersigned, a Notary Public in and for said County and State, came Clyde J. Shearer, Dale H. Shearer, R. Rex Rouse and Ed Lavalleur, personally to me known to be the identical persons whose names are affixed to the above instrument and acknowledged the execution of the same to be their voluntary act and deed for the purposes therein expressed.

NOTARIAL TESTIMONY WHEREOF I have hereunto subscribed my name and affixed my seal on the date first above written.

E. E. Hull. Notary Public in and for said County.

H. G. Tilton et al To

#443

Filed for record the 31 day of January A. D. 1948 at 8:30 o'clock A. M.

Fee \$.80 VC

The Public

Wilma M. Wade, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) ss

We, H. G. Tilton and Eugene McNamara being first duly sworn on oath depose and say that we have been residents of Madison County, Iowa, for a period of more than thirty (30) years last past.

That during said period of time, we have been acquainted with the possession and ownership of the following described real estate, to-wit:

The East One-half (E 1/2) of the Southwest Quarter (SW 1/4) and the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) except two (2) acres in a square form in the Southwest (SW) corner thereof and the West One-half (W 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section One (1) and the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) and the West One-half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Twelve (12), all in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;

that we were acquainted with N. J. Nolan, also known as Nicholas J. Nolan, who owned the above described real estate at the time of his death, during his lifetime and were and are acquainted with the various devisees, legatees and heirs-at-law mentioned in the proceedings in connection with the administration of the Estate of the said N. J. Nolan, Deceased.

That wherever in the proceedings in the administration of the Estate of the said N. J. Nolan, the names Nicholas Schoenenberger or Nicholas J. Schoenenberger appear, they refer to one and the same person, to-wit: Nicholas Schoenenberger, a son of the late Dr. J. G. Schoenenberger.

That we were well and truly acquainted with Maggie A. McNamara, one of the legatees and devisees named in the Last Will and Testament of Nicholas J. Nolan, Deceased, who was one and the same person as N. J. Nolan above mentioned, during her lifetime. That the said Maggie A. McNamara died intestate a resident of Madison County, Iowa. That no administration was had on the Estate of the said Maggie A. McNamara, Deceased. That the only property that she owned at the time of her death was her rights as a legatee and devisee under the terms of the Last Will and Testament of Nicholas J. Nolan, Deceased. That the assets of her estate were not sufficient to render the same liable for any State Inheritance Tax or any Federal Estate Tax; that the said Maggie A. McNamara left as her surviving spouse James McNamara who was one and the same person as James McNamara who served as one of the Executors and finally sole Executor of the Last Will and Testament of the said Nicholas J. Nolan, Deceased; that the said Maggie A. McNamara left as