

Miscellaneous Record, No. 25, Madison County, Iowa

Robert D. Warnock et al  
To

#847

Filed for record the 21 day of February  
A. D. 1948 at 10:55 o'clock A. M.

Fee \$ .50 **VC**

Wilma M. Wade, Recorder

The Public

AFFIDAVIT

State of Iowa, Madison County, ss

I, Robert D. Warnock the present owner of the real estate hereinafter described under the name of R. D. Warnock, and I, H. L. Paull Cashier of the Union State Bank, Winterset, Iowa, depository hereafter mentioned, hereby state that we are familiar with the Lease made by said R. D. Warnock, one of the affiants herein, and his wife, Mary Warnock, to Pat Meholin, dated March 24, 1939 and recorded in Mortgage Record 89, page 439 of the records in the Office of the Recorder of Madison County, Iowa, providing for the production of oil, gas, etc., upon the Southwest Quarter of Section 36, in Township 75 North, Range 28, West of the 5th P. M., Madison County, Iowa, and which Lease contains the following provision, to-wit:

"If no well be commenced on said land on or before one year from date hereof, this lease shall terminate as to both parties, unless the lessee on or before that date shall pay or tender to the lessor or to the lessor's credit in the Union State Bank at Winterset, Iowa, or its successors which shall continue as the depository regardless of changes in the ownership of said land, the sum of "25¢" per acre, which shall operate as a rental and cover the privilege of deferring the commencement of a well for twelve months from said date."

The undersigned further state from personal knowledge that no operations of any kind were started under the terms of said Lease and that the above 25¢ per acre rental was never at any time paid or tendered to the credit of the lessors in the Union State Bank, Winterset, Iowa; and the undersigned, Robert D. Warnock, hereby further states that neither he nor his wife, Mary Warnock, were ever paid or tendered the said sum of 25¢ per acre rental as provided by the terms of said Lease except that we did receive 10¢ per acre for the year 1940, and no more, and that so far as said Lease is concerned the same is now fully canceled and void due to non-compliance with the terms thereof by the said Lessee, Pat Meholin.

Robert D. Warnock  
H L Paull

**NOTARIAL SEAL** and Sworn to before me by the above named affiants this 21st day of February, A. D. 1948.

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

W.R. Agan  
TO  
The Public

# 850

Filed for record the 23 day of February  
A.D. 1948 at 11:15 o'clock A.M.

Fee \$ .50 **VC**

Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa Madison County, ss.

I, W. R. Agan, being first duly sworn on oath depose and say that I have been a resident of Madison County for more than twenty (20) years last past; that I am well and truly acquainted with Clyde H. Taylor and his wife, Sarah M. Taylor, who at one time were the owners of the following described real estate, to-wit:

The East Half (½) of the Northwest Quarter (¼) of Section Sixteen (16) and the Southeast Quarter (¼) of the Southwest Quarter (¼) of Section Nine (9), all in Township Seventy-four (74) North, of Range Twenty-seven (27) West of the 5th P.M.

That wherever the names C. H. Taylor or Clyde H. Taylor appear in the chain of title to said real estate, said names refer to one and the same person, to-wit: Clyde H. Taylor; that wherever the names Sarah M. Taylor and S. M. Taylor appear in the chain of title to said real estate, said names refer to one and the same person, to-wit: Sarah M. Taylor.

I further depose and say that I am well and truly acquainted with Glenn A. Jones, the present owner of the real estate hereinbefore described. That the full name of the said Glenn A. Jones is Glenn Allen Jones; that I know of my own personal knowledge that the

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said Glenn A. Jones is not the same person as Art Jones, the person against whom a judgment was rendered in favor of Edith C. Gillespie, Executrix of the Estate of Thomas L. Gillespie, Deceased, in cause No. 17512, law, in the District Court of the State of Iowa in and for Madison County, Iowa.

That this affiant has no interest in the above described real estate, and this Affidavit is made for the sole purpose of establishing the facts herein stated of record and for no other purpose.

Dated at Winterset, Iowa, this 13 day of February, A.D. 1948, W.R. Agan



and sworn to before me, Shirley A. Webster, this 13th day of February, A.D. 1948.

Shirley A. Webster Notary Public in and for Madison County, Iowa.

H.C. Foshier #855 Filed for record the 23 day of February TO A.D. 1948 at 3:15 o'clock P.M.

Fee \$.50

Wilma M. Wade, Recorder

The Public

AFFIDAVIT

State of Iowa, Madison County, ss.

I, H. C. Foshier, being sworn, depose and say as follows:

That I am now and have been for more than forty years last past a resident of Winterset, in Madison County, Iowa. That I have been well acquainted with the South 157 acres of the SW 1/4 of Section 35, in Township 76 North, of Range 28 West of the 5th P.M. for many years, and am well acquainted with the location of the right of way of the Des Moines Southern Railway Company extending West from Winterset, which right of way, extended West, ran along the North side of the above described real estate; that said right of way did not traverse any part of said real estate. That I personally know that soon after construction of a part of the road bed, the Des Moines Southern Railway Company abandoned all right of way work and that neither it nor any other Railway or Railroad Company ever used the right of way acquired extending West from Winterset which abutted the real estate first herein described for railroad purposes, and that such right of way has long been abandoned and does not now exist.

H.C. Foshier

Subscribed in my presence and sworn to before me by the said H. C. Foshier, this 23rd day of February, A.D. 1948.

COMPARED (District Court Seal)

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

Catherine E. Sheffer #869 Filed for record the 24 day of February TO A. D. 1948 at 2:00 o'clock P. M.

Fee \$.80

Wilma M. Wade, Recorder

The Public

AFFIDAVIT

State of Iowa, Madison County, ss:

I, Catharine E. Sheffer of said County and State being first duly sworn upon my oath depose and say that I am now and have been a resident of Madison County, Iowa, for more than 48 years last past.

I further state that I am the same person as Catharine E. Wray and Catharine Egy and Catharine K. Egy as the names appear in the Guardianship Proceedings for Helen I. Wray in the District Court of Madison County, Iowa, and entered in Guardianship Docket "D", page 456 in the Office of the Clerk of said Court, and that said Helen I. Wray the present owner of Southeast Quarter of the Southwest Quarter of Section 5 and the Northeast Quarter of the Northwest Quarter of Section 8 (except 2/3 of an acre in a square form in the Northeast corner thereof used for school purposes) all in Township 76 North, Range 28, West of the 5th P. M. Madison County, Iowa, is my daughter, and that I was her legal guardian until she attained her majority by marriage with Cecil V. Clark; and that wherever the names Helen Wray, Hellen Wray, Helen I. Wray, Hellen I. Wray, Helen Wray Clark, Helen Clark, and Helen V. Clark appear in the chain of title to said real estate the same refer to one, the same