

Miscellaneous Record, No. 25, Madison County, Iowa

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. Fosher TO

#855

Filed for record the 23 day of February 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. Fosher, 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. Fosher

Subscribed in my presence and sworn to before me by the said H. C. Fosher, 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.

Catharine E. Shaffer To

#869

Filed for record the 24 day of February 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. Shaffer 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 Catherine E. 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 6 (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 W. Clark appear in the chain of title to said real estate the same refer to one, the same

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and identical person.

I further state that I am the same person as Catharine E. Egy, and Catherine E. Egy as the names appear in the Guardianship Proceedings for Martha Patricia Egy (also mentioned and referred to as Patricia Egy in said Proceedings) in said District Court and entered in Guardianship Docket "W", page 152 in the Office of the Clerk of said Court; and that I am the duly appointed, qualified and acting Guardian of said Martha Patricia Egy (who is also my daughter) and the same person as Catharine E. Egy, Guardian of Martha Patricia Egy, a minor, mortgagee in the \$2188.50 Mortgage recorded in Mortgage Record 87, page 264 of the records in the Office of the Recorder of Madison County, Iowa, which mortgage was made by Helen Wray Clark and husband, Cecil Clark, above mentioned, on said real estate above described.

I further state that the references to a \$500 mortgage and mortgage of about \$588.50 in Applications signed by me and filed in said last mentioned Guardianship Proceedings and in the Court Orders entered upon said Applications were erroneous and especially the reference in the Court Order to a \$500 mortgage held by the receiver of the Citizens National Bank of Winterset, Iowa; that said Applications filed in said Martha Patricia Egy Guardianship Proceedings were made May 29, 1935 and Jan- 31, 1936 and that while I was Guardian of said Helen I. Wray I never executed a mortgage for \$500 or \$588.50 on said land, and that I never asked or received Court authority to do so; and that as Guardian of Martha Patricia Egy I never received or held a \$500 or \$588.50 mortgage upon said real estate; that both of said items of \$500 and \$588.50 above mentioned were simply promissory notes without security of any kind and both are included in the indebtedness secured by the \$2188.50 mortgage above mentioned, and that both of said notes have been fully satisfied, cancelled and destroyed.

I further state that neither my ward, Martha Patricia Egy, nor I as her legal guardian now hold any other indebtedness against the said Helen I. Clerk (nee Wray) or said Cecil Clark (who is the same person as Cecil V. Clark) except said sum of \$2188.50 and that the only lien or mortgage held by me as Guardian of said Martha Patricia Egy or belonging to my said ward's estate from said Helen I. Clark and Cecil V. Clark is the said \$2188.50 mortgage securing said \$2188.50 indebtedness above mentioned which mortgage is recorded in Mortgage Record 87, page 264 as above stated.

I further state that I have no personal interest in any of the above matters but make this affidavit at the request of the present owner for the purpose of establishing of record the facts herein stated.

Catherine E Shaffer

Subscribed in my presence and Sworn to before me by the above named affiant this 18th day of February, A. D. 1948.

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

Robert Lull
TO
The Public

#915

Filed for record the 25 day of February A.D. 1948 at 3:40 o'clock P.M.

Fee \$.50

Wilma M. Wade, Recorder

AFFIDAVIT

STATE OF IOWA, POLK COUNTY, ss.

I, Robert Lull, a resident of said State and County, being sworn depose and say as follows: That I am well and personally acquainted with the John H. Cownie, who, with his wife, Margaret G. Cownie, executed a warranty deed of date, Dec. 10, 1935, filed for record on Dec. 14, 1935 and recorded in Deed Record 73, at page 202, of Madison County, Iowa, records, which conveyed to Mary Cownie Pfaff the SE 1/4 NW 1/4; SW 1/4 SE 1/4; the East 14 acres of SE 1/4 SW 1/4, and all that part of W 1/2 SW 1/4 lying North of the public highway (containing 42.63 acres), all in Section 21, and the NW 1/4 NE 1/4 of Section 28; all in Township 76 North, of Range 26 West of the 5th P.M., and that the said John H. Cownie, grantor above referred to, is the same