

Miscellaneous Record, No. 25, Madison County, Iowa

Chas. E. Tucker
To

#1953

Filed for record the 21 day of April
A. D. 1948 at 2:40 o'clock P. M.

Fee \$.50

VC

Wilma M. Wade, Recorder

The Public

AFFIDAVIT OF ADVERSE POSSESSION

State of Iowa, County of Madison,) ss.

Chas. E. Tucker, being first duly sworn, deposes and says that he has been a resident of Madison County, State of Iowa, since before January 1, 1930 and is well acquainted with the lands described as

NW $\frac{1}{4}$ SW $\frac{1}{4}$ (except a tract conveyed for road purposes 17 $\frac{1}{2}$ feet wide and 2 rods long running in a diagonal direction across the Southwest corner thereof); and SW $\frac{1}{4}$ SW $\frac{1}{4}$ (except the West 2 rods in width thereof), of Section 21, in Township 76 North, Range 28, West of the 5th Principal Meridian, containing 79 acres, more or less, according to Government Survey, in Madison County, Iowa,

and has been acquainted with the ownership and occupants thereof; that he knows of his own knowledge that William Wallace McDonald is now in possession of all of said lands by conveyance and/or inheritance; that the said person now in possession thereof together with his grantors and predecessors in said possession, immediate and remote, have been in continuous, exclusive, open, notorious, hostile, and adverse possession of all said described lands under claim of right and color of title since before January 1, 1930, and that no claim of any kind adverse to the possession and ownership of the said parties aforementioned is now pending or has been asserted or made as to any of the above described property nor against any of the owners of occupants thereof since before January 1, 1930.

Further affiant sayeth not.

Chas E. Tucker

Subscribed and sworn to before me the undersigned, a Notary Public in and for said County and State, on this 21st day of April, 1948.

H. C. Foshier Notary Public

(Notarial Seal)

within and for Madison County, Iowa.

CERTIFICATE

State of Iowa, County of Madison) 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 owner in possession as named in said affidavit or by his attorney-in-fact, as shown by the records, and recorded and entered on the records thereof on the 21st day of April, 1948.

COMPARED

Wilma M. Wade, County Recorder

Marvin P. Hitsman
To

#2020

Filed for record the 27 day of April
A. D. 1948 at 9:45 o'clock A. M.

Fee \$.50

Wilma M. Wade, Recorder

The Public

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS:

I, Marvin P. Hitman, of Madison County, Iowa, first being duly sworn on oath depose and say:

That I am the owner of the following described real estate, to-wit:

Commencing at the Northeast Corner of the South Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Five (5), and running thence North 89° West, 6 Chains and 50 links, thence South, 1° West, 9 chains and 23.09 links, thence South 89° East, 6 Chains and 50 links, thence North, 1° East, 9 Chains and 23.09 links to the place of beginning; and a tract of land described as follows: Commencing at a point 19 rods and 14 feet South of the Northwest Corner of the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Four (4), and running thence East 11 $\frac{3}{4}$ Rods to the Center of the Public Highway, thence in a Northwesterly direction in the Center of said Public Highway to the East line of Section Five (5), thence South to the place of beginning; all in Township Seventy-five (75) North, of Range Twenty-seven (27) West of the 5th P. M.,

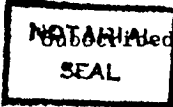
and that on December 6, 1945, I sold by written contract said real estate to Grace Chew and/or O. H. Chew of Madison County, Iowa, which contract was filed for record the 7th day of December, A. D. 1945 at 9:38 o'clock A. M. and recorded in Book 80 on Page 601 of the records of the County Recorder of Madison County, Iowa, and that among other things said contract provided that a note and mortgage was to be given by Grace Chew and O. H. Chew to the undersigned evidencing the balance of the purchase price due under said contract, and that subsequent to the date of said contract such a note and mortgage were duly made and executed and delivered to the undersigned; said note and mortgage being in the principal sum

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of One Thousand Two Hundred (\$1,200.00) Dollars, and that said mortgage was not filed for record; that said note and mortgage has been lost and this affidavit is made for the purpose of showing and establishing of record that said note and mortgage have been redeemed, paid off, satisfied and discharged in full and that the undersigned has this day executed and delivered to Otis H. Chew and Grace C. Chew as Joint Tenants and not as Tenant in Common a Warranty Deed conveying to them the above described real estate, and that said deed is made to full fill and carry out all of the terms and conditions of said contract.

That wherever in the chain of title to the above described real estate the name Marvin P. Hitsman or Marvin Hitsman appear, the same refers to one and the same identical person the undersigned, to-wit: Marvin P. Hitsman.

Marvin P. Hitsman



Subscribed and sworn to before me and in my presence this 27th day of April, A.D. 1948.

Jno. N. Hartley Notary Public
in and for Madison County, Iowa.

Chas. E. Tucker
To

#2032

Filed for record the 28 day of April
A. D. 1948 at 10:15 o'clock A. M.

Fee \$.50

Wilma M. Wade, Recorder

The Public

AFFIDAVIT

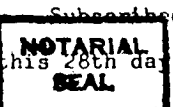
State of Iowa, Madison County, ss.

I, Chas. E. Tucker, a resident of Madison County, Iowa, being sworn, depose and say as follows:

That I was well and personally acquainted with the Ernest Ricketts who was named as one of the grantees in a certain warranty deed dated Aug. 19, 1941, executed by The Northwestern Mutual Life Insurance Company, recorded Aug. 28, 1941, in Deed Record 78, at page 124, of the records of Madison County, Iowa, and conveying the North 75 acres of S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 17-77-26, and know that the said Ernest Ricketts, grantee, was the same person as the Warren Ernest Ricketts who died, intestate, on or about Dec. 28, 1945, and whose estate was probated at No. 4895 Probate in the District Court of Madison County, Iowa.

That I am in no way interested.

Chas E. Tucker



Subscribed in my presence and sworn to before me by the said Chas. E. Tucker, affiant this 28th day of April, A.D. 1948.

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

L. H. & Florance Hills
To

#2051

Filed for record the 29 day of April
A. D. 1948 at 9:40 o'clock A. M.

Fee \$.50

Wilma M. Wade, Recorder

Lafe Harris

POWER OF ATTORNEY.

KNOW ALL MEN BY THESE PRESENTS: - That we, L. H. Hills and Florance Hills, of Delaware County, Oklahoma, have made, constituted, and appointed, and by these presents do make, constitute and appoint, Lafe Harris, of Delaware County, Oklahoma, our true and lawful attorney for us, and in our names, place and stead, and to our use, either separately or jointly, To look after a certain Judgment in Madison County, Iowa, of (\$900.00) against - and to take any steps necessary; to make any settlement he desired and to properly satisfy said judgment of record, the same as I might do if present; also to do any and all things he deems necessary in regard to the matter of the purchase of what is known as the Emerson property, in Bevington, Warren County, Iowa; and to investigate the condition of the Kelly Roberts note of \$200.00 in the Union State Bank of Winterset Iowa for collection, to take any steps he deems necessary to collect same, giving our said attorney full power to do anything whatsoever, requisite and necessary to be done in the premises, as fully as I could do or we could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that our said attorney, or his substitute, shall lawfully do, or cause to be done, by virtue hereof.