#1220

Daniel Francis) √ . (Filed for Record July 9th A.D. 1903 at 5:47 o'clk P. M.
to) Affidavit (
The Public) (W. H. Vance,
Recorder.

State of Iowa, Polk County,) SS:

I, Daniel Francis, of lawful age, being first duly sworn on oath depose and say: I am the Daniel Francis who formerly owned the South half of the South East quarter of Section 16, 77-29 and also the South West quarter of section numbered fifteen 77-29 and who conveyed with my wife Emily Francis, by deed, dated February 23rd A.D. 1903, a part of the said premises to Edward A. Fleming; Marion J. Fleming and John H. Fleming, which deed is of record in Book 44 on page 81 of Madison County, Iowa, deed records.

That on the 29th day of April 188_ myself and wife, conveyed to "The Trustees of t the Township of Penn, Madison County, Iowa, and their successors in office", by warranty deed, which was acknowledged on the 29th day of April 1887, and is of record in Book 26 at page 284, in which said deed the description of the premises conveyed is as follows, to-wit: "Beginning at a point 2 & ½ Rods north of line drawn 16 rods due east of south east corner of section 16-77-29, thence east 40 rods; thence west 17½---- to place of beginning". That it was the intention to convey by said deed, commencing at a point two and one half rods, north of a point 16 rods due east of the south east corner of section 16-77-29, and that in pursuance of such intention the grantee named in said deed, took possession of the premises intended to be so conveyed, commencing in truth and fact at the point, two and one half rods north of the point 16 rods due east of the southeast corner of section 16-77-29, and have ever since had and retained the possession thereof under said deed. I further depose and say that on the 8th day of May 1875 myself and wife Emily Francis, executed and delivered a deed of conveyance to "The Trustees of M.E Church of Penn Center, Madison County Iowa," which deed is of record in Deed Record 30 at page 377 thereof. That in the recorded description in said deed there is an error in that, the word "West" is inserted therein, in the last direction, instead of the Word South. that it was the intention to convey the property described by the insertion of the word South instead of the word West, and that the grantees named in said deed took possession of the property intended to be described, as above stated and explained, and have ever since said time had and held possession thereof under and by virtue of said deed. I further depose and say that, I had been in the actual, open, visible, hostile and uninterrupted possession of all the lands described in the aforesaid deed to, Edward A, Fleming, Marion J. Fleming and John H. Fleming, under claim of absolute ownership in fee simple under title deeds duly recorded, for a period of more than ten years prior to February 23rd 1903.

Daniel Francis

NOTARIAL SEAL.

Subscribed in my presence and sworn to before me by Daniel Francis who is to me personally known to be the identical person who executed the above and foregoing affidavit, this 26th day of June A.D. 1903.

A. J. Mathis
Notary Public, Polk County, Iowa.

NOTARIAL SEAL.