#737

J.E.Hamilton) Filed for record the 5th day of March A.D. 1915 at 4:56 o'clock P.M.
to
The Putlic) Afft. Fee $ 50 Jeannette E. Beck, Recorder

State of Iowa, MAdison County, ss. I, J.E.Hamilton being first duly sworn on oath depose say that I have been in the Real Estate and Farm Loan business in the City of Winterset, Madison County, IOwa, for twelve years last past and that during all of said time I have been well and personally acquainted with the E½ NE¼ and the NE¼ NE¼ SE¼ of Sec. 10, TWP. 75 Range 28 and with the various owners thereof; that said land was sold through my agency in the year 1912 to Ferguson Abel Land Co., and was conveyed to the said Ferguson Abel Land Co., by Waranty Deed dated March 7th, 1912 and recorded in Deed record 50 at Page 186; that said Ferguson Abel Land Co., sold said land through my agency to one J.M.Hann and conveyed the same to him by Warranty Deed dated March 3rd, 1913 and recorded in Deed Record 50 at Page 226; that the said J.M.Hann sold said land through my agency to one William J.Conroy and Margaret M.Conroy and conveyed the same to the said William J and Margaret M.Conroy by Warranty deed dated Feb 26th, 1914 and recorded in Deed Record 54 at Page 653; that the recitals in the last above mentioned deed, to-wit:-"This deed is made subject to a balance of $4500.00 of a Mortgage to the Valley Savings Bank, which grantee assumes and agrees to pay as part of the purchase price hereof." also "As a part of the purchase price hereof grantee are giving back mortgage on above land for nine thousand dollars, including above encumbrance." is erroneous, that said deed was drawn in my office and that I well and personally know that it was the intention of the said J.M.Hann and wife Roxy Jane, to convey said land subject to an encumbrance of $6500.00 being the $4500.00 balance on the $5000.00 mortgage to the Valley Savings Bank recorded in Mortgage Record 49 at Page 550 and the $2000.00 mortgage to the Ferguson Abel Land Company recorded in Mortgage Record 55 at Page 70, and that the said J.M.Hann and his wife Roxy Jane did convey the said land subject only to the $6500.00 encumbrance and that the said deed of conveyances was accepted by the said William J. and Margaret M.Conroy with that understanding andthat at the date of the said deed from the said J.M.Hann and wife to the said William J. and Margaret M.Conroy there was no mortGage "given back" as a part of the purchase price.

I further state that I am in no way interested in making this affidavit or in the titl to the land described but make the same at the request of the present owner of said land in order to establish of record the facts as herein set forth.

Further deponent saith not.

J.E.Hamilton.

Subscribed in my presence and sworn to by the said J.E.Hamilton before me this 5th day of March A.D. 1915.

NOTARIAL SEAL

Carl R. Meyer,
Notary Public in and for Madison County, Iowa.