the same ...

... County, Iowa.

Polly Souders)
to Affidavit.
The Public )

Filed for record the 2nd day of August A.D.,1923, at 4/30 o'clock P.M.
Olive M.Garrison, Recorder.
Adelaide Nicholson, Deputy.

#2003 Fee $.80 ✓

Affidavit covering the following described tract of land.

Commencing at the Northwest corner of Section Twenty-four (24), in Township Seventy-five(75) North, of Range Twenty-six (26) West in St Charles, Madison County, Iowa, Thence South 31 rds.,thence East 46½ rds.,thence North to Section Line, thence West to place of beginning.

State of Iowa, County of Madison,ss. I, Polly Souders, of St.Charles, Madison County, Iowa, first being duly sworn, do depose and say; That I have lived in and near St. Charles, Iowa, since May 1846, except about five years, during which time I lived in Missouri; That I am well acquainted with the location of land in and about the Town of St.Charles, Iowa; That I am well acquainted with the following described real estate and its several owners since George Hartman platted the first plat of St.Charles, The description is as follows; Commencing at the Northwest corner of Section Twenty-four (24),Township Seventy-five (75) North, of Range Twenty-six (26) West of the 5th P.M.,Iowa. Thence running south, 31 rods, thence East 46½ rods, thence north to the North line of said Section Twenty-four (24), thence West to the place of beginning, containing Nine acres more or less. That on Jany. 26th 1854 George Hartman filed a deed for record, dated Nov.1st 1852, in which William Wallace White and wife conveyed to him the NW¼ NW¼ Sec.24-75-26, and other lands.

That on or about Feb. 7th, 1855 the said George Hartman, laid out and platted what is known as the Additional Lots to the Original Plat of St.Charles, now known as Hartman & Young's Addition. That the north side of Vine Street, which street is the north side of the said Hartman & Young's addition is also the south line of the tract first above mentioned. That Morgan Street is on the West side of Hartman & Young's Addition, and said street is on the Section line on the west side of Section 24, and that the extension of Cross Street in the said Hartman & Young's Addition is the east boundary of the first tract described above.

That on or about June 18th, 1868, George Hartman and wife conveyed to Joseph H.Walkup the tract decribed in the caption of this affidavit, and recorded in Deed Record "W" Page 79 thereof. That I was well and personally acquainted with Joseph H.Walkup and family; That the said Joseph H.Walkup died intestate Sept. 12, 1870, leaving as his heirs, and only heirs- at- law, three sons, John Aaron Walkup, Samuel Cheek Walkup and Joseph Huggard Walkup, and widow Lousarah Walkup. That in the probate proceedings in settling the estate of ~~of~~ Joseph H.Walkup, and later in making a Guardian's deed to E.Faust, the description was made incorrect,describing the land as being"31 rods East and West and 46½ rods north and south in the Northwest corner of the NW¼ NW¼ Sec. 24- 75- 26". This is a self-evident error, as I know he owned the land bounded on the west by the west line of Section 24, and the south by the north line of Vine Street, and the East by a public highway which is the extension to the section line of Cross St.,and on the north by the section line of Sec. 24-75-26. The description should read,"31 rods north and south and 46½ rods east and west",

That the records show that on Nov.28th,1893 W. E.Mack and wife conveyed the above described tract to J.F.Alexander as shown in Deed Record 33, Page 578 thereof, and described the tract as follows: "Commencing at the North west corner of Sec. 24-75-26, thence South on the Section line to the North line of Vine Street, in the Town of St.Charles, Iowa, thence East along the North line of said street to the laid out road(running North and South), thence North to the North line of the above named Section 24, thence West on said Section line to the place of beginning". The tract last described is the same and identical land as described in the caption of this affidavit. That I am well and personally acquainted with W.C.Bumbarger who conveyed the above described land on Feb. 27th 1917 to F.R.Souders, as shown in Deed Record 58, Page 478. I am also well acquainted with W.J.Bumbarger, sometimes known as Walter Bumbarger; That W.C.Bumbarger is also known as Wesley Bumbarger; That W.C. or Wesley Bumbarger is a brother of W.J. or Walter Bumbarger. I also know that W.J. or Walter Bumbarger never owned the above decribed land. That the tract of land conveyed by Frank R.Souders to the Consolidated district of St. Charles, Iowa, is and lies in the southeast part of the above decribed tract.

Polly Souders.

Subscribed and sworn to by Polly Souders, before me this 31st day of July, 1923 before me,H.A.Mueller, a notary Public in and for Madison Co.,Iowa.

H.A.Mueller, Notary Public.

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