J. E. Walker

to

The Public

#1767
Fee $.60

Filed for record the 10th day of August, A. D., 1927, at 2:10 o'clock P. M.,

Gladys B. DeVault, Recorder.

AFFIDAVIT

State of Iowa )
Madison County ) ss:

I, J. E. Walker, of the above named county and state, being first duly sworn, on oath depose and say that I was well acquainted with John Borts who died intestate in Madison County, Iowa, in or about December, 1921, leaving as his only heirs at law, the following named daughter and son, to-wit: Emma Miller, Grace Atwood, Clara Skinner, Edith Couch, Retta Hays and Edward Borts. That all of the above named daughters and son were of full age and sound mind at the time of the death of their father, John Borts.

I further depose and say that I was well and personally acquainted with all of the defendants in a foreclosure suit wherein J. E. Hamilton was plaintiff and James Gibson, et al., were defendants, being case #12909 Equity, in Appearance Docket 25 on page 2, in the District Court of Iowa, in and for Madison County. That Emma Miller, Grace Atwood, Clara Skinner, Edith Couch, Retta Hays and Edward Borts, hereinbefore named are the same persons as Emma Miller, Grace Atwood, Clara Skinner, Edith Couch, Orletta Hays and Edward Borts, respectively who are named as defendants in the foreclosure proceedings in said case #12909 Equity in the District Court of Iowa, in and for Madison County. That Frank Miller is the husband of Emma Miller and that M. G. Atwood is the husband of Grace Atwood, Charles Skinner the husband of Clara Skinner, Sylvia Borts the wife of Edward Borts, W. A. Couch the husband of Edith Couch, and Edward Hays the husband of Orletta Hays, or Retta Hays.

I further depose and say that at the time of the death of John Borts, he was a resident of Madison County, Iowa, and that no administration was ever had on his estate and that the daughters and son herein named and also named in the foreclosure proceedings hereinbefore referred to, are the only son and daughters and the only heirs at law of the said John Borts, deceased. That the said John Borts died without leaving a surviving spouse.

I further depose and say that I am in no way interested in the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section 29 in Township 74 North, Range 26, West of the 5th P. M., Madison County, Iowa, being the real estate described in the foreclosure proceedings, hereinbefore referred to, but make this affidavit for the purpose of establishing the facts as they actually exist.

J. E. Walker

Subscribed and sworn to before me and in my presence by J. E. Walker this 9th day of August, A. D., 1927.

J. E. Hamilton.

NOTARIAL SEAL