W. U. Bowen & wife, Eliza — #815 — Filed for record the 18th day of April A. D. 1933 at 1:45 o'clock P. M.

To

The Public. — Fee $.80✓ — Maggie Reese Hobbs, Recorder. Jessie Allgeyer, Deputy.

FORM OF ESTOPPEL AFFIDAVIT

STATE OF IOWA)
: ss.
COUNTY OF Madison)

W. U. BOWEN and ELIZA BOWEN, husband and wife, being first duly and separately sworn each for himself and herself, deposes and says:

That they are the identical parties who made, executed and delivered that certain deed to THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, dated the 1st day of February, 1933, conveying the following described property; to wit,

> The North Half of the Northeast Quarter ($N\frac{1}{2}$ $NE\frac{1}{4}$), and the North Half of the South Half of the Northeast Quarter ($N\frac{1}{2}$ $S\frac{1}{2}$ $NE\frac{1}{4}$) of Section Twenty-eight (28), Township Seventy-five (75) North, Range Twenty-eight (28) West of the Fifth Principal Meridian, Madison County, Iowa.

Affiants further state that the Emergency Debtors Relief Act, House File No. 193, recently passed by the 45th General Assembly of the State of Iowa, providing for continuance of foreclosure actions, has not altered their previous decision to voluntarily convey said premises in complete satisfaction of said debt, or caused them to repudiate the execution and delivery of said deed.

That the aforesaid deed was an absolute conveyance of the title to said premises to the grantee named therein in effect as well as in form, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind, and that possession of said premises has been surrendered to the said grantee; that the consideration in aforesaid deed was and is the full cancellation of all debts, obligations, costs and charges heretofore existing under and by virtue of the terms of a certain mortgage heretofore existing on the property therein and hereinbefore described executed by Loyd Fleming and Fern Fleming, his wife, as mortgagors to The Prudential Insurance Company of America, as mortgagee, dated the 1st day of October, 1930, and recorded in Mortgage Book 80, pages 517-8, of the records of Madison County, State of Iowa, and the cancellation of record by said grantee of said mortgage, and

the delivery to this affiant of the note or other evidence of debt secured by said mortgage, duly cancelled, receipt of which said cancelled note is hereby acknowledged.

That the aforesaid deed and conveyance was made by these deponents as the result of their request that the grantee accept such deed and was their free and voluntary act; that at the time of making said deed these deponents felt and still feel that the mortgage indebtedness above mentioned represented a fair value of the property so deeded; that said deed was not given as a preference against any other creditors of the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than the grantee therein named interested, either directly or indirectly in said premises; that these deponents are solvent and have no other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or other mortgage whereby any lien has been created or exists against the premises described in said deed; and that deponents in offering to execute the aforesaid deed to the grantee therein, and in executing same, were not acting under any duress, undue influence, misapprehension or misrepresentation by the grantee in said deed, or the agent or attorney or any other representative of the grantee in said deed, and that it was the intention of these deponents as grantors in said deed to convey and by said deed these deponents did convey to the grantee therein all their right, title, and interest absolutely in and to the premises described in said deed.

This affidavit is made for the protection and benefit of the aforesaid grantee in said deed, his successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators and assigns of the undersigned.

W. U. Bowen

Eliza Bowen

Subscribed and sworn to before me this

4th day of April, 1933.

NOTARIAL SEAL

Ado. N. Hartley
acknowledgment in form entitling to record in state
where lands situated should be added.)
Notary Public in and for Madison County, Iowa.