Will H. Henry

To

The Public.

#228

Fee $.70 ✓

Filed for record the 15th day of Jan. A. D. 1934 at 11:37 o'clock A. M.
Maggie Reese Hobbs, Recorder.
Jessie Allgeyer, Deputy.

AFFIDAVIT

STATE OF IOWA :
:SS
MADISON COUNTY :

I, Will H. Henry, having been first duly sworn, on oath depose and state that I am a resident of Madison County, Iowa, and that I was an officer of the McCall Land & Loan Company; that I am familiar with and know the facts concerning and surrounding the execution of a certain mortgage by Frank Shearer and wife, Anna, to the McCall Land & Loan Company, for the principal sum of Five Thousand ($5,000) Dollars, said mortgage being dated September 10, 1923 and filed for record September 12, 1923, and recorded in Mortgage Records 62, page 215 of the mortgage records of Madison County, Iowa, and conveying the following described real

ACME-BLACKMAN CO. DUBUQUE 70166

estate, situated in Madison County, Iowa, to-wit:

The East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) and the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of Section Three (3), except the following described tract of land:- commencing at the northeast corner of the southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of Section Three (3), and running thence south $1336\frac{1}{2}$ feet, thence west thirty feet, thence north $1336\frac{1}{2}$ feet, thence east thirty feet to the place of beginning, and also twenty-eight acres in the northeast quarter of the northeast quarter ($NE\frac{1}{4}NE\frac{1}{4}$) of Section Ten (10), described as follows:- commencing at the northeast corner thereof, running thence west to the northwest corner thereof, thence south to the County road, thence southeast along said road to the east line of said Northeast " of the Northeast Quarter ($NE"NE\frac{1}{4}$) of Section Ten (10), thence north to the place of beginning, all in Township 75, Range Twenty-six (26); and also the South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) and all the part of the South Half of the North Half of the Southwest Quarter ($S\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}$) lying and being south of the right of way of the Des Moines, Winterset & Southwestern Railroad and the public highway as the same are now located and in use across said Southwest Quarter ($SW\frac{1}{4}$), all of the last described land being in Section Twenty-six (26), and all that part of the North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) of Section Thirty-five (35), lying North and West of the center of the channel of Middle River as the same now runs across said Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-five (35), said last described tracts of land lying and being in Township Seventy-six (76), Range Twenty-seven (27), containing in all 344 acres.

That said mortgage recites that it is subject to three mortgages amounting to $25,500, and the three mortgages referred to are the following: A mortgage for $7,000.00, executed by the same grantors to the American Commercial and Savings Bank of Davenport, Iowa, dated February 18, 1920, recorded February 28, 1920 in Mortgage Record 71, Page 11, of the Mortgage Records of Madison County; a mortgage to the American Commercial and Savings Bank of Davenport for $10,000.00, covering lands located in Township 76, Range 27, said mortgage being recorded in Mortgage Record 71, Page 219 of the Mortgage Records of Madison County; and a mortgage to Clem F. Kimball and Henry Peterson for $8500.00, covering land in Township 76, Range 27 and recorded in Mortgage Record 60 at Page 454 of the Mortgage records of Madison County, Iowa.

This affidavit is made at the request of the owner of said real estate covered by said mortgage and for the purpose of clearing a seeming defect in connection with the title insofar as the above mentioned mortgages are concerned.

Will H. Henry

Subscribed and sworn to before me by the said Will H. Henry this 5th day of December, 1933, to me personally known to be the person named in and who executed the above and foregoing affidavit.

NOTARIAL SEAL

H. C. Fosher,
Notary Public in and for
Madison County, Iowa.