County, Iowa.

M. L. Silliman, To The Public. #2601 Fee $.80 ✓ Filed for record the 14th day of July A. D. 1934 at 5:02 o'clock P. M.

Maggie Reese Hobbs, Recorder.

M. L. Silliman to THE PUBLIC

AFFIDAVIT AS TO POSSESSION

STATE OF IOWA, )
SS:
MADISON COUNTY )

I, M. L. Silliman, being duly sworn, depose and say: that I have been a resident of Madison County, Iowa, for more than 72 years; that I have been personally acquainted with the ownership, occupancy and possession of the premises described as the East One-Third of Lot

Six, Block Eleven, Original Town Plat of the City of Winterset, Iowa, for more than 50 years; that I remember the time when the upper stories of the buildings located on the Middle One-Third of Lot 6, the East One-Third of Lot 6, and the West One-Third of Lot 7, all in Block 11, Original Town Plat of the City of Winterset, Iowa, was used as a hall for public entertainments, and was known as the City Hall or the Opera House; that said hall was never used nor intended to be used for municipal purposes, but was used and intended to be used only for purposes of public entertainment; that prior to the year 1888, the use of the said premises for a place of public entertainment was discontinued, and that prior to the year 1888 the said upper stories of the buildings located on the said premises were divided into three parts, being the Middle One-Third of Lot 6, one of said parts being the East One-Third of Lot 6, and one of said parts being the West One-Third of Lot 7; all in Block 11, Original Town Plat of Winterset, Iowa, and that each of said parts of lots, including the East One-Third of Lot 6, Block 11, Original Town Plat of Winterset, Iowa, was used separately for private purposes, and was not used as any part of a city hall, or opera house or place of public entertainment since prior to the year 1888; and the agreement under which it was so used was abandoned prior to the year 1888; that prior to year 1888, H. J. B. Cummings was in possession of the East One-Third of Lot 6, Block 11, Original Town Plat of Winterset, Iowa, by deed recorded at Page 145 of Deed Record P of Madison County, Iowa; that since prior to the year 1888, Laura J. Miller and H. J. B. Cummings, the father of said Laura J. Miller, from whom said Laura J. Miller took the East One-Third of Lot 6, Block 11, Original Town Plat of Winterset, Iowa, by devise, have been in actual open, visible, notorious, continuous, exclusive, adverse, hostile possession of the entire East One-Third of Lot 6, Block 11, Original Town Plat of Winterset, Iowa, including the upper story of the building on said premises and the stairways leading thereto, under claim of title; and that neither Edward Brown, nor E. W. Jones and M. R. Tidrick, nor either E. W. Jones nor M. R. Tidrick, nor any person claiming by, through or under them, or any of them, has been in possession of any part of the East One-Third of Lot 6, Block 11, Original Town Plat of Winterset, Iowa, and that no claim of any kind adverse to the possession of said Laura J. Miller and H. J. B. Cummings or either of them has been asserted to said premises, or any part thereof, since prior to the year 1888; that I have no interest in making this affidavit except to help establish the facts stated herein.

M. L. Silliman

Subscribed in my presence and sworn to before me by said M. L. Silliman this 14th day of July, 1934.

(NOTARIAL SEAL)

Daniel J. Gallery
Notary Public in and for Madison County, Iowa.

I, Maggie Reese Hobbs, County Recorder of Madison County, Iowa, hereby certify that the above and foregoing affidavit was filed in my office and recorded and entered on the records thereof on the 14th day of July, 1934, on behalf of Laura J. Miller, the owner in possession of said East One-Third of Lot 6, Block 11, Original Town Plat of Winterset, Iowa.

COMPARED

Maggie Reese Hobbs
County Recorder of Madison County, Iowa.