John Evans and Otto Kleatsch #140 Filed for record the 17 day of Jan., A. D. 1925 at 4:00 O'clock P. M.,

To Fee $.50 POSTED J. E. W.

The Public Velda C. Bishop, Recorder
Pearl E. Shetterly, Deputy

AFFIDAVIT

State of Iowa, } SS:
Madison County,

I, John Evans, and I, Otto Kleatsch, of said county and State, each being first duly sworn on our respective oaths, depose and state:

That we have each been a resident of Madison County, Iowa, for more than 35 years last past and have been residents of the immediate vicinity of the following described land, formerly owned by Sarah Smith, now deceased, during all of said time, to-wit:

South 11 rods of the SW. Frl.¼ NW¼ (containing 6.23 acres more or less), and the NW.Frl.¼ SW¼. except the S. 11 acres thereof (containing 33.82 acres more or less), of Section 18, Township 75, Range 27, Scott Township, Madison County, Iowa;

and that the said Sarah Smith, during her lifetime, and her grantors, have been in the actual, open, notorious, exclusive, uninterrupted, and peaceable possession of said land and every part and parcel thereof, under claim of right and color of title since prior to Jan. 1, 1900

and that no claim of any kind adverse to the possession of said person has been asserted to any of said lands. We further state that Abe Smith, Charles E. Jessup, or Corham Palmer, nor any one claiming by, through, or under them, or either of them, have ever claimed or asserted any claim in or to any of the lands above described, and that they now claim no interest therein.

We further state that the warrenty deed from Abe Smith to Charles E. Jessup, dated Jan. 22, 1902, recorded in Deed Record 43, page 121, of the records of Madison County, Iowa, did not convey any of the above lands and was not intended to convey any part thereof, and that said Charles E. Jessup did not enter unto possession of said lands under and by virtue of said deed; but that said Charles E. Jessup did obtain title from Abe Smith to 5 acres in the NW¼ NW¼ of said Section 18, being described as commencing at the SW. corner of said NW¼ NW¼ of Sec. 18-75-27, and running thence N. 40 rods, thence E. 20 rods, thence S. 40 rods, thence W. 20 rods to the place of beginning, and we further state that it was the intention of said Abe Smith to convey the last described 5 acres by said deed, but by mistake of the party who drew said deed same was made to describe 5 acres in the SW. corner of the SW¼ NW¼ of said Section 18. We further state that Corham Palmer owned land in Section 18, Township 74, Range 27, Walnut Township, at one time, but that he never lived on or occupied any land in Section 18 of Scott Township.

We further state that we are in no way interested in the title to any of the land above described, but make this affidavit at the request of Pros Smith, Administrator of the Estate of Sarah Smith, for the purpose of esteblishing of record the facts above stated.

John Evans
Otto Kleatsch

Subscribed and sworn to before me by the above named affiants this 17th day of January, A. D. 1

NOTARIAL SEAL

L. P. Jackson
Notary Public.