O. J. DeVault

To
The Public

#1534

Fee $ .50 ✓

Filed for record the 12 day of April A.D. 1943 at 3:40 o'clock P.M.

Pearl E. Shetterly, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY ;SS.

I, O. J. DeVault, a resident of the town of Earlham, Madison County, Iowa, being first duly sworn on my oath, depose and say:

That I have been a resident of Penn Township, Madison County, Iowa and the town of Earlham, Madison County, Iowa for more than fifty years last past. Practically all of said time I resided in Penn Township. That I was well and personally acquainted with William Wetrich during his lifetime and with his wife and surviving widow, Annie Wetrich. That the said William Wetrich died testate in Madison County, Iowa on the 23rd day of September, 1903 seized in fee simple of the following described real estate, to-wit:

The undivided one-half (½) of the South 3/4 of the West Half (½) of the Southwest Quarter (¼) of Section Ten (10) Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., and the Northwest Quarter (¼) of the Southwest Quarter (¼) of Section Fifteen (15) Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Iowa.

That the said William Wetrich under item 2 of his Last Will and Testament devised to his wife, Annie Wetrich, a life estate in all his property both real and personal so long as she remained his widow, and in case she should remarry after his decease, then he devised to the said Annie Wetrich one-third of all his property, both real and personal. That I know of my own personal knowledge that the said Last Will and Testament of William Wetrich was admitted to probate in the District Court of Madison County, Iowa on the 16th day of October, 1903 and the said Annie Wetrich on the 17th day of October, 1903 was appointed Executrix of the said Last Will and Testament and duly administered the estate of William Wetrich, deceased. That I know of my own personal knowledge that the said Annie Wetrich accepted the terms of the Last Will and Testament of the said William Wetrich, deceased, and while she did not file a formal election in the Court showing that she accepted the terms of the said Last Will and Testament, she closed the estate in accord therewith and took a life estate in all of the property both real and personal which belonged to the estate of William Wetrich, deceased. That the said Annie Wetrich never remarried after the death of her husband, William Wetrich, and that she never claimed any more than a life estate in the estate of her husband, William Wetrich. That I have no interest in any of the real estate belonging to this estate, but I am simply making this affidavit to correct an apparent defect in the chain of title thereto. All of which is true as I verily believe.

O. J. DeVault

NOTARIAL SEAL

Subscribed and sworn to before me and in my presence by the said O. J. DeVault this 22nd day of March, A.D., 1943.

Phil R Wilkinson Notary Public
in and for Madison County, Iowa.