Ed Benson et al #1873 Filed for record the [illegible] A.D. 1943 at 10:15 o'clock A.M.

To Fee $ .50 ✓

The Public Pearl E. Shetterly, Recorder

AFFIDAVIT

State of Iowa, County of Madison )ss:

I, Ed Benson, and I, Chas E Tucker, of said county and State, being first duly sworn on our separate oath, do depose and say, that we have been residents of Madison County, Iowa, for more than 25 years last past, and during all of said time have lived in the neighborhood of and been familiar with the title, ownership and occupancy of Lots 7 and 8 in Block 1 of Lindsey's Addition to Winterset, said county and state; and know of our own personal knowledge that David H. Ballard and Martha O. Ballard entered into possession of said real estate on or about Oct. 4, 1916, under and by virtue of the warranty deed recorded in Town Lot Deed Record 19, page 578, of the records of said county, and that they and their grantors, immediate and remote, and their heirs at law and grantees and successors in interest, to and including Stacey R. Herr and Lota M. Herr, the owners now in possession thereof, have been in the actual, open, notorious, continuous, adverse, exclusive, uninterrupted and peaceable possession, occupancy, and control of all of said real estate and every part and parcel thereof under claim of right and color of title, have paid the taxes thereon, and received the rents, issues and profits thereof, and that no claim of any kind adverse to the possession of said parties has ever been asserted to any of said real estate to our personal knowledge during the past 25 years.

We further state that the D. H. Ballard named in the chain of title to said real estate, the David H. Ballard above named, and the D. H. Ballalard, as his name appears signed to his last will and testament, all refer to one and the same identical person, David H. Ballard being his full, true, and correct name.

We further state that we are in no way interested in the title to said real estate, but make this affidavit at the request of the present owners thereof for the purpose of establishing of record the facts above set forth.

Ed Benson
Chas E Tucker

Subscribed in my presence and Sworn to before me by the above named affiants this 5 day of May, A.D.1943.

(Notarial Seal)

Harry F Anderson Notary Public in and for Madison County, Iowa

State of Iowa, County of Madison. )ss:

I, Pearl E. Shetterly, County Recorder in and for said County and State aforesaid, hereby certify that the foregoing affidavit was filed in my office by the owners in possession as named in said affidavit or by their attorney in fact, as shown by the records, and recorded and entered on the records thereof on the 5th day of May , A.D. 1943.

COMPARED

Pearl E. Shetterly
County Recorder of Madison County, Iowa.