Rex V. Johnson and
Lorin B. Sayre
To
The Public

#2459

Fee $.80

Nelson Bertholf Notary Public
Filed for record the 24 day of June
A.D. 1943 at 4:40 o'clock P.M.

Pearl E. Shetterly, Recorder

AFFIDAVIT

State of Iowa, Madison County, ss.

Rex V. Johnson and Lorin B. Sayre being sworn, depose and say as follows:

That we are now and have been residents of Madison County, Iowa, since prior to Jan. 1, 1920, and are especially familiar with the real estate which is situated in Township 75, Range 26, in said County.

That we are now and have been since prior to Jan. 1, 1920, acquainted with the possession occupancy, ownership and control of the real estate described as follows, to-wit: The East 35 acres of the SE¼ NE¼; ½ acre out of the Southeast corner of the NE¼ NE¼, being 8½ rods North and South and 9 35/85 rods East and West, and also, a part of the NE¼ SE¼ described as follows: Commencing at the Northeast corner of said 40-acre tract, running thence South 57.69 rods to the center of Clanton Creek, thence down the center channel of said creek to the North line of said 40-acre tract, thence East 9 rods to the place of beginning; all in Section 29, and ¼ acre out of the Southwest corner of the NW¼ NW¼, being 9 rods East and West and 4 rods, 7 feet and 4 inches North and South; S½ NW¼ and N½ SW¼ of Section 28; all in Township 75 North,

State of Iowa
Madison County } ss.

I hereby certify that the annexed affidavit was filed by _____ the owner in possession of the Lands mentioned therein. Dated June 24 1943

Pearl E. Shetterly Recorder

of Range 26 West of the 5th P.M., excepting the right of way of the Chicago, Great Western Railroad Company and excepting a tract conveyed to Madison County, Iowa, described as follows, to-wit: Commencing at the Northwest corner of the N½ SW¼ of said Section 28, and running thence South 34 rods, thence Southwesterly 26⅛ rods, thence East 40 rods, thence Northwesterly to a point 34 rods South of the point of beginning -- and know that Joe Lindburg, the present owner of record under and by virtue of a Sheriff's Deed acquired through certain foreclosure proceedings entitled: Joe Lindburg, Plaintiff, vs. Anna Anderson, et al., Defendants, being Cause No. 16393 Equity, of the District Court of Madison County, Iowa, and found at page 58 of Docket 31, in the office of the Clerk of said District Court, together with his grantors, immediate and remote, have, during all of the period of time since prior to Jan. 1, 1920, had, held and enjoyed the full, absolute, uninterrupted, unquestioned, peaceable and adverse possession of the whole of said real estate, under claim of right and color of title, paid the taxes assessed against the same, maintained the improvements thereon, and collected the rents, issues and profits therefrom; and that to our knowledge no person, firm or corporation has made, or attempted to make any claim of right, title or interest therein or thereto adverse to the said Joe Lindburg, H.P. Anderson (who died seized thereof), or the widow and heirs at law of the said H. P. Anderson, or their grantors, since long prior to Jan. 1, 1920.

That we were and are well acquainted with the widow and heirs at law of the said H. P. Anderson, who died, intestate, on or about Jan. 18, 1932, seized of said real estate, and know their marital status. That on Aug. 18, 1937, being the date of the Sheriff's deed issued to Joe Lindburg conveying said real estate hereinbefore referred to, Anna Anderson, the surviving wife of the said H. P. Anderson was living and had not remarried; that N. B. Anderson and Twila Anderson were still husband and wife and living; William S. Anderson and Thesa Anderson were still husband and wife and living; G. H. Anderson, Amanda Anderson and Margaret Anderson, were each unmarried and still living, and Robert E. Anderson and Virginia Anderson were still husband and wife and still living.

That we are entirely familiar with the right of way of the Chicago, Great Western Railroad Company which runs across that part of the real estate hereinbefore described which is located in Section 28, in Township 75 North, of Range 26 West of the 5th P.M. That we know that said Railroad Company was at one time called the Chicago, St. Paul and Kansas City Railway Company, and any reference to the right of way of the Chicago, Great Western Railroad Company across said real estate in Section 28 refers to and is the same right of way originally conveyed to the Chicago, St. Paul and Kansas City Railway Company.

That we are in no way interested.

Rex V. Johnson
Lorin B. Sayre

Subscribed in my presence and sworn to before me by the said Rex V. Johnson and Lorin B. Sayre, affiants, this 24th day of June, A.D. 1943.

NOTARIAL SEAL

H. C. Fosher [illegible]