Miscellaneous Record, No. 24, Madison County, Iowa

C. C. Guilliams et al #2968 Filed for record the 13 day of August A.D. 1943 at 10:40 o'clock A.M.

To Fee $ .50 ✓

The Public Pearl E. Shetterly, Recorder

AFFIDAVIT OF ADVERSE POSSESSION

State of Iowa, County of Madison.)ss:.

I, C. C. Guilliams, and I, J. F. Wharff, 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 40 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 the SW¼ SE¼, except a tract commencing at the NE. corner thereof and running thence S. 24 rods, thence W. 80 rods, thence N. 10 2/3 rods, thence W. 60 rods to the W. line thereof, thence N. to the NW. corner thereof, thence E. to the point of beginning, and except the South 40 rods of the East 12 rods of said 40-acre tract, in Sec. 35-76-26, Madison County, Iowa, and know of our own personal knowledge that Cass Pindell entered into possession of said real estate on or about Aug. 29, 1898, under and by virtue of the tax deed recorded in Tax Deed Record 2, page 248, of the records in the office of the Recorder of Madison County, Iowa, and that he and his grantee, Jennie Ballerd, and their grantors, immediate and remote, for more than 40 years last past, 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 occupied and fenced the same, 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 40 years.

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 owner thereof for the purpose of establishing of record the facts above set forth.

C C Guilliams
J F Wharff

Subscribed in my presence and sworn to before me by the above named affients this 31 day of July, A.D. 1943.

M S Creger Notary Public in and for Madison County, Iowa.

(Noterial Seal)

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 owner in possession as named in said affidavit or by his attorney in fact, as shown by the records, and recorded and entered on the records thereof on the 13 day of Aug., A.D. 1943.

COMPARED

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

H. C. Tilton et al