W. A. Brooker et al #600 Filed for record the 12 day of February A.D. 1943 at 2:35 o'clock P.M.

To Fee $ .50 ✓

The Public Pearl E. Shetterly, Recorder

A F F I D A V I T

State of Iowa, County of Madison ss.

We, W. A. Brooker and Blanche Brooker, husband and wife, of said County and State, each being first duly sworn, upon our respective oaths depose and say that we are the same and identical persons as the W. A. Brooker and Blanche Brooker who joined in the execution of the warranty deed to F. W. Brazzle, dated February 12, 1920, acknowledged the same date and filed March 13, 1920, and duly recorded in Deed Record 62, page 540 of the records of Madison County, Iowa, wherein we conveyed the W½ NW¼ Section 25, and E½ NE¼ Section 26, all in Township 75, Range 28, Madison County, Iowa.

That the recital in said deed that the same was made subject to a mortgage of $15,000 and a mortgage of $5,000 was erroneous in so far as the mortgage referred to of $15,000 was concerned; that there was not at the date of said deed nor was there at any time during our ownership of said land a mortgage of $15,000 thereon, but there was a mortgage for $10,000 on said land at the date of said deed given by Ernest C. Hamilton to H. W. Binder and Company, dated March 10, 1917, acknowledged the same date, and filed for record March 13, 1917, and recorded in Mortgage Record 65, page 119 of said records; also one certain other mortgage for $5,000 made and executed by us to J. E. Hamilton, dated March 1, 1918, acknowledged March 8, 1918 and filed for record the same date, and recorded in Mortgage Record 60, page 235 of said records, which $5,000 was a second mortgage made junior and inferior to the first mortgage of $10,000 to H. W. Binder and Company above described; that said $10,000 mortgage to H. W. Binder and Company and said $5,000 Mortgage to J. E. Hamilton, aggregating $15,000 was the only encumbrance upon the land above described at the date of said warranty deed to F. W. Brazzle and said two mortgages were the only mortgages upon said land during our ownership thereof, and that it was our intention to convey said land by the above described warranty deed, subject to a mortgage for $10,000 to H. W. Binder and Company above described and a mortgage for $5,000 to J. E. Hamilton above described.

We further state that we now have no interest in the title to the land above described, but make this affidavit for the purpose of establishing of record the facts as herein stated.

W. A. Brooker
Blanche L. Brooker

NOTARIAL SEAL

Subscribed and sworn to before me and in my presence, by the above named affient, this 22 day of Dec., 1920.

Harry W. Anderson