By Olive S. Clements Deputy

Elwood Macumber

#111

Filed for record the 11 day of January A.D. 1944 at 4:30 o'clock P.M.

To

The Public

Fee $ .50

Pearl E. Shetterly, Recorder

A F F I D A V I T

State of Iowa, Madison County, ss.

Elwood Macumber, being sworn, deposes and says as follows:

That he is the same person as the Elwood Macumber who is the assignor in a certain deed of assignment to W. E. Macumber and Emory Callison, dated Apr. 17, 1911, and recorded Apr. 17, 1911, in Deed Record 50, at page 130, of the records of Madison County, Iowa, and the same person as the Elwood Macumber who is the grantor in a certain warranty deed dated Mar. 9, 1907, recorded Apr. 20, 1907, in Deed Record 48, at page 251, of said records, conveying to Darius Hollingsworth a tract of land described as follows: Beginning at a point on the section line 580 feet North of the Southeast corner of Section 3, in Township 74 North, of Range 27 West of the 5th P.M., and running thence East 166.3 feet, thence North 55°10' West 456 feet, thence North 89° West 511.4 feet, thence South 0° 25' West 265 feet, and thence East 715 feet to the place of beginning, containing 4.18 acres, more or less; and that the inclusion of any part or portion of said real estate in said deed of assignment was clearly an error on the part of the person who prepared said instrument, inasmuch as said real estate had on Mar. 9, 1907 been conveyed by this affiant to the said Darius Hollingsworth who was the owner thereof at the time of the execution of said deed of assignment, and that at that time I had no right, title or interest of any kind or character in or to said real estate and that said assignees did not, by virtue of said deed of assignment, acquire any interest, right or title in or to said real estate or any part thereof, and to affiant's certain knowledge, said assignees were never, at any time, under the impression that said real estate formed any part of the assets of this affiant as said assignor.

Elwood Macumber

Subscribed in my presence and sworn to before me by the said Elwood Macumber, affiant, this 7th day of January, A.D. 1944.

NOTARIAL SEAL

Charles D. Van Werden Notary Public in and for Madison County, Iowa.