J. W. Dunham

Pearl E. Shetterly, Recorder.

Phil R. Wilkinson et al — #1111 — Filed for record the 24 day of March A.D. 1944 at 11:10 o'clock A.M. Pearl E. Shetterly, Recorder Wilma M. Wade, Deputy

To The Public — Fee $ .70

AFFIDAVIT

Phil R. Wilkinson and Minnie Wilhelm to The Public

State of Iowa, Madison County)ss.

We, Phil R. Wilkinson and Minnie Wilhelm, being duly sworn, depose and say: that each of us is a resident of Winterset, in Madison County, Iowa, and each was a resident of Winterset in Madison County, Iowa, at all times mentioned in this affidavit; that Minnie Wilhelm, affiant herein, is the widow of T. F. Wilhelm, who died testate on August 18, 1915, a resident of Winterset, Madison County, Iowa, and whose estate was probated as No. 2356 Probate in Madison County, Iowa, and was also the Executrix in said estate; that said T. F. Wilhelm

was, at the time of his death, the owner of Lots One and Two in Block Five in A.B.Shriver's Addition to the Town of Winterset, Iowa; that the last will and testament of said T. F. Wilhelm provided for the erection of a suitable monument at his grave at a cost of not less then $500.00 and not more then $1,000.00, and that a suitable monument to said T. F. Wilhelm was erected at his grave in the cemetery located in Douglas Township, Madison County, Iowa, in Section 18 in said Township, during the period of administration of said estate and prior to the approval of the Final Report of the executrix in said estate, which approval was made on February 17, 1917, and that the cost of such monument was not less than $500.00 and not more than $1,000.00, and that all expenses for said monument and the erection thereof were paid at that time; that in the last will and testament of said T. F. Wilhelm a bequest of $500.00 was made to Mary Wilhelm, the mother of said T. F. Wilhelm, and that said bequest was paid in full by said executrix during the period of the administration of said estate, and that said Mary Wilhelm was not an heir of said T. F. Wilhelm at the time of his death, because he left surviving him a surviving spouse, the undersigned Minnie Wilhelm, and one child, a daughter, Mary Helen Wilhelm, named as an heir in the proceedings in said estate, and that said Mary Wilhelm, the mother of T. F. Wilhelm, had no interest in said estate except such interest as she had by reason of said $500.00 bequest, which was fully paid; that said Mary Wilhelm, the mother of T. F. Wilhelm has been deceased for many years; that all claims in said estate of T. F. Wilhelm and all debts of said T. F. Wilhelm, including all expenses of last sickness and burial, and all costs and expenses of administration in said estate and all bequests in said estate were fully paid prior to the approval of the Final Report in said estate, and distribution was fully made in said estate and said estate was fully and finally settled at that time; that wherever in the proceedings in the said estate of T. F. Wilhelm or in any instrument in the chain of title to Lots One and Two in Block Five in A. B. Shriver's Addition to the Town of Winterset, Iowa, the names Minnie M. Wilhelm, Mininie M. Wilhelm and Minnie Wilhelm appear, they are all intended to, and do refer to one and the same person, to wit: the widow of said T. F. Wilhelm, deceased; that the said C. M. Wallace who is named as grantee in a deed to the said two lots hereinbefore described, made by Minnie Wilhelm and recorded in Town Lot Deed Record 23 of Madison County, Iowa, at Page 216, and the C. M. Wallace named as mortgagor in a mortgage to Minnie Wilhelm on the same property, recorded in Mortgage Record 68 of Madison County, Iowa, Records, at Page 247, is one and the same person as the Charles M. Wallace whose estate was probated as No. 4001 Probate, in Madison County, Iowa, District Court; that Phil R. Wilkinson, affiant herein, was a member of the firm of Wilkinson & Wilkinson, attorneys at Winterset, Iowa, which firm performed the legal services for the executrix in the administration of the estate of said T. F. Wilhelm, deceased, and also acted as attorney for the administrator during the time Leo C. Percival was administrator of the said estate of Charles M. Wallace, deceased, hereinbefore referred to, and was a partner of said Leo C. Percival in the practice of law at that time, and also acted as one of the attorneys for Hazel S. Wallace as Administratrix in said estate, and also acted as attorney for Dorothy D. Longenecker as Administratrix in said estate; that each of the undersigned affiants states that the facts stated herein are the true and correct facts concerning the matters involved, as actually known to each affiant.

Phil R Wilkinson
Minnie Wilhelm

Subscribed in my presence and sworn to before me by said Phil R. Wilkinson and Minnie Wilhelm, and each of them, this 23rd day of March, 1944.

Daniel J. Gellery
Notary Public in and for Madison County, Iowa.

NOTARIAL SEAL