[illegible] 2nd Lt Sig C

Summary Court

Erwin M. Howell et al — #2100 — Filed for record the 7 day of June A.D. 1944 at 10:35 o'clock A.M.

To The Public — Fee $ .50 — Pearl E. Shetterly, Recorder

AFFIDAVIT OF ADVERSE POSSESSION

State of Iowa, County of Madison. )ss:

I, Erwin M. Howell, and I, Ed Kipp of said county and state, each 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 familier with the title, ownership, and occupancy of the SW¼ SE¼ Sec. 30 and NE¼ of Sec. 31 except the right of way of the C.R.I. & P. R.R. Co., and except a tract commencing at a point on the N. line of said right of way at the intersection with the E. line of 10th Street in the city of Winterset, being at or near the SW. corner of said NE¼ of said Sec. 31, and running thence N. along the E. line of said street 258 feet, thence East 69 rods to a point 254 feet N. of the N. line of said right of way, thence S. 254 feet, thence W. along said N. line of said right of way to the place of beginning, and all that part of the NW¼ of Sec. 32 lying N. of said right of way, all in Twp. 76, Range 27, Madison County, Iowa, and know of our own personal knowledge that M. L. Haines entered into possession of said real estate on or about October 19, 1943, under and by virtue of the warranty deed recorded in Deed Rec. 80, page 152 of the records of Madison County, Iowa, and that he and his 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 cultivated and fenced the same, paid the taxes thereon, occupied and received the rents, crops, issues and profits thereof, and that no claim of any kind adverse to the possession of said M. L. Haines, or his grantors has ever been asserted to any of said real estate to our personal knowledge during all of said time, and that said M. L. Haines now enjoys peaceable possession thereof.

That we are in no way interested in the title to said real estate or any part or parcel thereof, but make this affidavit at the request of the present owner thereof for the purpose of establishing of record the facts above set forth.

Erwin M Howell
Ed Kipp

Subscribed in my presence and sworn to before me by the above named affiants this 22 day of October, A.D. 1943.
(Notarial Seal)

Harry F. Anderson
Notary Public, Madison Co., Iowa

State of Iowa, Madison County. )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 7th day of June, A.D. 1944.

COMPARED

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