Miscellaneous Record No. 24 [illegible]

Della E. Bruce
Owner or Agent.

W. T. Guiher — #2238 — Filed for record the 22 day of June A.D. 1944 at 1:43 o'clock P.M.

To The Public — Fee $ .60 ✓ — Pearl E. Shetterly, Recorder 1:43 PM

AFFIDAVIT

STATE OF IOWA MADISON COUNTY)SS

I, W. T. Guiher of said County and State, being first duly sworn, do upon my oath depose and say that I was personally acquainted with W. W. Bobsin who acquired title by deed of conveyance dated March 4, 1915, from Ed Schaff and wife, Anna Schaff, to the Northwest Quarter of the Southeast Quarter of Section Twenty-nine (29), Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P.M., Iowa, and who, together with his wife, Lottie Bobsin, on the 11th day of February, 1929, gave to the McCall Land & Loan Company of Winterset, Iowa, a real estate mortgage upon said property to secure the payment of Two Thousand ($2,000) Dollars; that the said W. W. Bobsin and his wife, Lottie Bobsin, were made parties defendant in an action of foreclosure on the note and mortgage above referred to commenced by Della E. Bruce in the District Court of Madison County, Iowa, on January 28, 1933, being Case No. 15615-Equity and being found in Appearance Docket 29 at Page 230 of the records of the office of the Clerk of the District Court of Madison County, Iowa; that I acted as attorney for the plaintiff in said action and that at my direction the original notice of said action was served on W. W. Bobsin and Lottie Bobsin by the Sheriff of Tama County, Iowa, on the 30th day of January, 1933, in Indian Village Township, Tama County, Iowa, but that by oversight and mistake the sheriff of Tama County, Iowa, in making his return of the service of said notice described the defendants as W. W. Bobson and Lottie Bobson; and that thereafter the said defendants, W. W. Bobsin and Lottie Bobsin, entered a special appearance in said action in which they set up the fact that they were not served with notice of said action in time for the February 1933 Term of the District Court of Madison County, Iowa; that the defendants who were served with notice of the pendency of said action by the sheriff of Tama County, Iowa, to-wit: W. W. Bobson and Lottie Bobson, are one and the same persons as W. W. Bobsin and Lottie Bobsin and that the said W. W. Bobsin is the same person who acquired title to the real estate hereinbefore described from Ed Schaff and Anna Schaff and that W. W. Bobsin and Lottie Bobsin who were served with notice of said action are one and the same persons as the mortgagors in the real estate mortgage referred to as having been given to the McCall Land & Loan Company of Winterset, Iowa.

That I have no personal interest in said land and make this affidavit at the request of the present owner in support of the title in order that same may be filed of record under the provisions of Section 11024 of the Code of Iowa.

Dated at Winterset, Iowa, this 1st day of November A.D. 1943.

W. T. Guiher

Subscribed in my presence and sworn to before me by the said W. T. Guiher this 1st day of November A.D. 1943.

(Notarial Seal)

Charles D Van Werden
Notary Public in and for said County.

[illegible] Madison County } ss

I hereby certify that the annexed affidavit was filed by Della E. Bruce the owner in possession of the Lands mentioned therein. Dated June 22 1944

Pearl E. Shetterly Recorder

As owner in possession of the land described in the foregoing affidavit, I hereby request the recorder of the above named county to record such affidavit and to note on the margin of the record thereof that it was recorded at my request.

COMPARED

Della E. Bruce
Owner or Agent.