...and for Guthrie County, Iowa.

Jno. N. Hartley — #3772 — Filed for record the 20 day of December A.D. 1944 at 4:15 o'clock P.M.

To — Fee $.80 ✓

The Public — Pearl E. Shetterly, Recorder

A F F I D A V I T

State of Iowa, Madison County, ss.

I, Jno. N. Hartley, a resident of said State and County, being sworn, depose and say as follows:

That I was the attorney for J.S.Hindman, administrator of the estate of Marion Harvey Hindman, deceased, which estate was administered in the District Court of Madison County, Iowa, at No. 4564 Probate thereof, and that I am the attorney for J.S.Hindman, guardian of the property of Leland Marion Hindman, Goldie Arlene Hindman, Raymond Cecil Hindman and Harvey Leroy Hindman, minor children and heirs at law of the said Marion Harvey Hindman, deceased, as shown at No. 2076 Guardianship of said District Court. That as such attorney, I prepared the papers filed in said estate and in said guardianship proceedings, and am familiar with the assets of said estate and said guardianship and with the matters affecting the same. That during the lifetime of/said Marion Harvey Hindman, he entered into a contract under the name of M.H.Hindman for the purchase of the Northeast Quarter (¼) of Section 23, in Township 77 North, of Range 28 West of the 5th P.M., from The Federal Land Bank of Omaha, which is of record at page 280 of Mortgage Record 88, in the office of the Recorder of Madison County, Iowa. That said real estate was listed in said estate as a part of the assets thereof. That throughout said estate and said guardianship proceedings, reference is made to said real estate and the statement made that the same is subject to a mortgage in the approximate sum of $5000.00 . That as a matter of fact, said real estate was not subject and is not subject to such a mortgage and that the intent was to refer to the unpaid balance due upon the contract hereinabove referred to.

That the covenant that the premises are free and clear of all liens and encumbrances "except the mortgages held by the Federal Land Bank of Omaha, Nebraska" in each of the deeds to Leland Marion Hindman, Goldie Arlene Hindman, Raymond Cecil Hindman and Harvey Leroy Hindman, made and executed by Glen Hindman and wife, Merle Hindman and wife, Lorena Marie Dolmage and husband, Hazel Barker and husband and Albert Dale Hindmam and wife, which are of record, respectively, in Deed Record 79, at page 434, Deed Record 79, at page 435, Deed Record 79, at page 436, Deed Record 79, at page 437, and Deed Record 79, at page 439, of the records of Madison County, Iowa, is erroneous in that there are not now and that there were not at the time of the execution of said deeds any mortgages on said land held by the Federal Land Bank of Omaha, Nebraska, nor by any person, firm or corporation, and that it was the intent by said covenant to refer only to the unpaid balance due upon the contract hereinbefore referred to.

That the recital in the deed from Bessie Hindman to Leland Marion Hindman, Goldie Arlene Hindman, Raymond Cecil Hindman, Harvey Leroy Hindman and Lorena Marie Hindman which is recorded at page 427, of Deed Record 71, of the records of Madison County, Iowa, that said conveyance is "Subject to mortgages and liens of record" was intended to refer soley

to said unpaid balance due upon said contract hereinbefore referred to.

That Lorena Marie Hindman, one of the heirs at law of Marion Harvey Hindman, deceased, (who was the same person as the M.H.Hindman, vendee in said contract), intermarried with one Leonard S. Dolmage, and that her name is now Lorena Marie Dolmage. That Goldie Arlene Hindman one of said heirs, intermarried with one Donald Tisdale Cutler, and that her name is now Goldie Arlene Cutler.

That this affidavit is made for the sole purpose of explaining discrepancies in the record affecting the title to the above described real estate.

Jno. N. Hartley

Subscribed in my presence and sworn to before me by the said Jno. N. Hartley, affient, this 20th day of December, A.D. 1944.

H.C.Fosher
Notary Public in and for Madison County,Iowa.