Miscellaneous Record, No. 24, Madison County, Iowa

Chas. H. Neidt and
H. V. Huntoon
To
The Public

#882

Fee $ .50 ✓

Filed for record the 8 day of March A.D. 1944 at 4:28 o'clock P.M.

Pearl E. Shetterly, Recorder

AFFIDAVIT

Chas. H Neidt - to The Public

State of Iowa, Madison County, SS:

I, Chas. H. Neidt, being duly sworn, depose and say: that I am a resident of Madison County, Iowa, and am sheriff of said County; that I was deputy sheriff of Madison County, Iowa, in the year 1935 and in the year 1936, during the time proceedings were pending in the case of The Mutual Benefit Life Insurance Company vs. Myrtle R. Orr et al., No. 16128 in Madison County, Iowa, District Court, and know the facts concerning the possession and occupancy of the premises involved in said case, to-wit:

> The South Half of the Northeast Quarter of Section 36, Township 75 North, Range 28 West, and the East Half of the Southwest Quarter and the West Half of the Southeast Quarter of Section 31, Township 75 North, Range 27 West of the 5th P.M., all in Madison County, Iowa,

and that I served notices in connection with said foreclosure and in connection with the sheriff's sale in said case, and I know that at the time of the service of the original notices in said case and at the time of the sheriff's sale in said case and at the time of the issuance of sheriff's deed in said case, and at all times between said dates, there was no homestead in said premises and no homestead rights of any kind therein, and that the owner of the said premises did not live or reside thereon, but that she lived in the City of Winterset, Iowa, said owner being said Myrtle R. Orr, and that said premises were in the possession and occupancy of tenants, and that neither said Myrtle R. Orr nor anybody else had any homestead or homestead rights of any kind in said premises during any of the times stated hereinbefore, and nobody claimed any homestead or any homestead rights therein.

The undersigned H. V. Huntoon, also being duly sworn deposes and says that he is a resident of Madison County, Iowa, and was such resident at all times hereinbefore stated, and that I am familiar with the title and possession and occupancy of the said real estate hereinbefore described at all times referred to hereinbefore, and I join in the statements and affirm the statements as to the homestead and homestead rights hereinbefore made by Chas. H. Neidt, in this affidavit, and I know that there was no homestead and no homestead rights of any kind in said premises at or during any of the times stated hereinbefore by said Chas. H. Neidt.

Chas H. Neidt
H. V. Huntoon

Subscribed in my presence and sworn to before me by said Chas. H. Neidt and by said H. V. Huntoon and each of them, on this 6th day of March, 1944.

NOTARIAL SEAL

Ernestine M. Handel Notary Public in and for Madison County, Iowa.

H. G. Tilton