E. W. Cummins, et al to The Public

#1184

Fee $.50

AFFIDAVIT

Filed for record the 5 day of March, A. D., 1946 at 8:25 o'clock A. M.

Pearl E. Shetterly, Recorder.

State of Iowa, } ss:
Madison County, }

I, E. W. Cummins, and I, R B Hunter, of said county and state, each being first duly sworn on oath depose and say that we have been residents of Madison County, Iowa, for more than 20 years last past, and during all of said time have lived in the neighborhood of and been familiar with the title, ownership, and occupancy of the S½ NW.Frl.¼ and S½ of N½ NW.Frl.¼ of Sec. 5, Twp. 76, Range 28, Madison County, Iowa, and we know of our own personal knowledge that Salvation Army entered into possession thereof on or about Dec. 10, 1926, under and by virtue of the warranty deed recorded in Deed Rec. 57, page 495, of the records of said county and state, and that it and its grantors, immediate and remote, for more than 20 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 occupied the same either by themselves or their tenants claiming under them, have cultivated and fenced the same and paid the taxes thereon, and received the rents, crops, issues, and profits thereof, and that no claim of any kind adverse to the possession of said parties has ever been asserted to any of said real estate to our personal knowledge during the past 20 years, and that Salvation Army now enjoys peaceable possession thereof.

We further state that wherever in the chain of title to said real estate the names A. C. Smith and Alfred C. Smith appear, they refer to one and the same person, and that A. C. Smith and Eliza J. Smith were husband and wife on Mar. 1, 1918; and that said Eliza J. Smith, grantor in said warranty deed recorded in Deed Rec. 57, page 495, died in the summer of 1945.

We further state that we are in no way interested in the title to the above described real estate, but make this affidavit at the request of the present owner thereof for the purpose of establishing of record the facts above set forth.

E. W. Cummins.
R. B. Hunter

Subscribed in my presence and sworn to before me by the above named affiants this 4 day of March, A. D. 1946.

(NOTARIAL SEAL)

Mabel C. Anderson
Notary Public in and for Madison County, Iowa.

State of Iowa, } ss:
Madison County, }

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 its attorney in fact, as shown by the records, and recorded and entered on the records thereof on the 5th day of March, A. D. 1946.

COMPARED

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

[illegible] #1200 Filed for record the 5 day of March,