O. D. Simmons and
A. E. Emerson
To
The Public

#5114
Fee $ .50

Filed for record the 18 day of December A.D. 1946 at 9:40 o'clock A.M.
Pearl E. Shetterly, Recorder
Wilma M. Wade, Deputy

AFFIDAVIT OF ADVERSE POSSESSION

State of Iowa, Madison County )ss.

I, O. D. Simmons, and I, A. E. Emerson, 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 Lot 1 and the S½ of Lot 2 in Sol Odell's Addition to the town of East Peru, Madison County, Iowa, and we know of our own personal knowledge that J. A. Simmons and Beatrice Simmons entered into possession of said real estate on or about Oct. 28, 1924, under and by virtue of the warranty deed recorded in Town Lot Deed Record 24, page 513, of the records of said county, and that they and their grantors, immediate and remote, for more then 25 years last past, and the heirs at law of the said J. A. Simmons, 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 tenents claiming under them, have paid the taxes thereon and received the rents, 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 said Beatrice Simmons and the heirs of J. A. Simmons, deceased, now enjoy peaceable possession thereof.

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 owners thereof for the purpose of establishing of record the facts above set forth.

O D Simmons
A. E. Emerson

Subscribed in my presence and Sworn to before me by the above named affiants this 18 day of December, A.D. 1946.
(Notarial Seal)

Harry F Anderson Notary Public in and for Madison County, 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 owners in possession as named in said affidavit, and recorded and entered on the records thereof on the 18 day of December, A.D. 1946.

COMPARED

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