A. P Sindt # 179 Filed for record the 11 day of January A. D. 1947 at 10:55 o'clock A. M.

To Fee $ .50 ✓

The Public Wilma M. Wede, Recorder

AFFIDAVIT

STATE OF IOWA, SCOTT COUNTY,} SS:

I, A. P. Sindt, being first duly sworn, on my oath depose and say:

That I am a resident of the City of Davenport, in Scott County, Iowa, and am Assistant Vice-President and Trust Officer of the Davenport Bank and Trust Company, of Davenport, Iowa;

That the said Davenport Bank and Trust Company is now and at all times herein mentioned has been "Trustee of the Special Fund under the Last Will and Testament of Max D. Petersen, deceased; "

That at the present time and prior to the year 1943, the said Trustee is and was the fee simple owner of that land lying in Madison County, Iowa, which is more particularly described as:

> The South Half (S½) of the Southwest Quarter (SW¼) and the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and the East Half (E½) of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), all in Section Twenty-one (21), Township Seventy-four (74), North, Range Twenty-nine (29), West of the Fifth P. M., containing 140 acres, more or less, and subject to an easement of a gas-pipe line.

That under a written contract bearing date October 20, 1943, the said land was sold by said Trustee to Lester H. Smith and Helen M. Smith, husband and wife, who forfeited the said contract and notice of forfeiture was duly and legally served upon the said Lester H. Smith and Helen M. Smith on the 7th day of March, 1944, by the Sheriff of Cass County, Iowa, all as fully appears of record in the office of the County Recorder of Madison County, Iowa, in Book 24, on page 125, of the records of said office;

That the defaults mentioned in the said Notice of Forfeiture were not removed by the said vendees, Lester H. Smith and Helen M. Smith, or either of them, within the time specified in the said notice, nor at any time since then, and that the said contract of sale therefore stood forfeited and cancelled thirty (30) days after the service of the aforesaid notice, and from and after the expiration of said thirty days neither of the aforesaid vendees have had or claimed any right whatever in and to the above described real estate or any part thereof;

That the foregoing facts are all sworn to by me of my own personal knowledge and belief.

Dated at Davenport, Iowa, this 30th day of December, 1946.

A P Sindt
A. P. Sindt

NOTARIAL SEAL

Subscribed and sworn to before me by said A. P. Sindt this 30th day of December, 1946.

Jas W. Bollinger
Notary Public in and for Scott County, Iowa.