Charles D. Butterfield #3692 Filed for record the 25 day of September
To A. D. 1961 at 4:00 o'clock P. M.
The Public Fee $2.50 VJS Mary E. Welty, Recorder

AFFIDAVIT

STATE OF IOWA, Madison County, ss:

I, Charles D. Butterfield, being duly sworn, depose and say: that I am of legal age and am a resident of Madison County, Iowa, and have been a resident of Madison County, Iowa, continuously since in the year 1922; that I am at the present time engaged in the business of banking, and that I have been engaged in banking during all of the period of my residence in Madison County, Iowa, that I was well and personally acquainted with Charles Simpson, a resident of Madison County, Iowa, who with his wife, Julia B. Simpson, was a grantee in a deed made by Helen McCall Huntoon and her husband, H. V. Huntoon, to Charles Simpson and Julia B. Simpson, husband and wife, as joint tenants and not as tenants in common, with the right of survivorship, conveying real estate in the City of Winterset, Iowa, described as the East 110 feet in width of Lots One (1) and Two (2) of the subdivision of the Northwest Fractional Quarter of the Northeast Quarter of Section One (1), in Township 75 North, Range 28 West of the 5th P.M., more particularly described as follows: Commencing at a point 30 feet South and 60 feet West of the Northeast Corner of said Northwest Fractional Quarter of the Northeast Quarter, running thence West 110 feet, thence South 239.25 feet, thence East 110 feet, thence North 239.25 feet to the place of beginning, and that my said acquaintanceship with said Charles Simpson extended as far back as the year 1923, and I know that said Charles Simpson and his wife, Julia B. Simpson, resided on said real estate at the time of the death of said Charles Simpson, and I know that said Charles Simpson died on February 17, 1947, in Winterset, in Madison County, Iowa, and that he was a resident of the City of Winterset, in Madison County, Iowa, at the time of his death, and that he left his said wife, Julia B. Simpson, surviving him, and that he did not leave surviving him any child or children, neither natural nor adopted, nor any heir or heirs of any child or children, and that I had personal knowledge of the business and financial affairs of said Charles Simpson at the time of his death and for more than twenty years continuously prior thereto, and I know that all of the property which said Charles Simpson owned at his death, or which passed at his death, including said real estate hereinbefore described and referred to as owned by said Charles Simpson and his said wife, Julia B. Simpson, as joint tenants and not as tenants in common, with the right of survivorship, did not exceed the sum of $5000.00 in value, and that said Charles Simpson had not at any time during the period I was acquainted with him owned property of more than $5000.00 in value; that I have no interest in this matter except to help establish the facts.

Charles D. Butterfield

Subscribed in my presence and sworn to before me by said Charles D. Butterfield this 25th day of September, 1961.

NOTARIAL SEAL

Marguerite Gallery Notary Public in and for Madison County, Iowa.

Hugo H. Howell #3739 Filed for record the 29 day of September
To A. D. 1961 at 9:30 o'clock A. M.
The Public Fee $1.50 VJS Mary E. Welty, Recorder
Shirley G. Henry, Deputy

AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN:

STATE OF IOWA MADISON COUNTY) SS.

The undersigned first being duly sworn (or affirmed) upon oath deposes and states:

That Phyllis Howell Hawley and John H. Hawley, husband and wife, as joint tenants with right of survivorship and not as tenants in common are now the record titleholders of the following described real estate to-wit:

Southwest One-Quarter (SW¼) and the Southwest One-Quarter (SW¼) of the Southeast One-Quarter (SE¼) of Section Thirteen (13) in Township Seventy-seven (77) North of Range Twenty-six (26), West of the Fifth P.M., the same being located in Madison County, Iowa.

That said Phyllis Howell Hawley and John H. Hawley, husband and wife are now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1940, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by any one. That this affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders and its parties in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Section 614.17 I.C.A., and other statutes relative thereto.

That the undersigned has been familiar with this property for more than Fifty (50) years and that most of the period of his life he has lived on an adjoining property and knows the location of the fence lines and the use and occupancy of the above-described property.

Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Dated this 29 day of Sept. 1961.

Hugo H. Howell
Hugo H. Howell Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 29 day of Sept. 1961.

(DISTRICT COURT SEAL)

Marguerite Morrissey Clerk of District Court in and for said County.

POWER OF ATTORNEY

The undersigned, owner in possession of said property as above stated, hereby directs that this affidavit be filed of record and hereby appoints the County Recorder of the County wherein said land is situated as the authorized attorney in fact to file same.

Phyllis Howell Hawley
Phyllis Howell Hawley
John H. Hawley
John H. Hawley Owner in Possession

STATE OF CALIFORNIA, FRESNO COUNTY, SS:

On this 13th day of September, 1961, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Phyllis Howell Hawley & John H. Hawley wife and husband to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

Margaret Ryer Notary Public in and for said County
My commission expires July 22, 1963.
MARGARET RYER

MARGINAL ENTRY
STATE OF IOWA, COUNTY OF MADISON, SS:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit was filed in the said Recorder's Office by the owner in possession as named in said affidavit or by his attorney in fact as shown by the records; and duly recorded and entered on the records thereon on the 29 day of Sept. 1961.

COMPARED

Mary E. Welty
Recorder