Miscellaneous Record, No. 27, Madison County, Iowa

REAL ESTATE

The South Half (S½) of the Northwest Quarter (NW¼); and the Northeast Fractional Quarter (NE Fr.¼) of the Northwest Quarter (NW¼); and the South Half (S½) of the Northwest Fractional Quarter (NW Fr. ¼) of the Northwest Quarter (NW¼); and the Northeast Quarter (NE¼) of the Northwest Fractional Quarter (NW Fr. ¼) of the Northwest Quarter (NW¼), except the West 440 feet of the North 330 feet thereof; and the South Half (S½) of the Northwest Quarter (NW¼) of the Northwest Fractional Quarter (NW Fr.¼) of the Northwest (NW¼); of Section Five (5), Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P. M., Madison County, Iowa,
The West Half (W½) of the Southwest Quarter (SW¼) of Section Five (5), Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P. M., Madison County, Iowa
The North Fractional Half (N Fr.½) of the Northeast Quarter (NE¼) of Section Six (6), Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P. M., Madison County, Iowa
Commencing at a point 31 feet South and 20 feet East of the Northwest Corner of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section One (1), in Township Seventy-five (75) North, of Range Twenty-eight (28) West of the 5th P. M., running thence East 66 feet, thence South 132 feet, thence West 66 feet, thence North 132 feet to the place of beginning, being Lot One (1) of the Re-Subdivision of Lots Eleven (11), Twelve (12) and Thirteen (13) of Hutchings' Addition to the City of Winterset, Madison County, Iowa.

COMPARED

Max Kilpatrick
To
The Public

#1394
Fee $1.50 ✓

Filed for record the 17 day of April A. D. 1964 at 2:45 o'clock P. M.
Mary E. Welty, Recorder
Shirley G. Henry, Deputy

BRAND

STATE OF IOWA MADISON COUNTY)

BE IT HEREBY KNOWN that Max Kilpatrick has adopted the symbol set out in this instrument to be his exclusive distinguishing mark to be used for the purpose of identifying domestic animals as belonging to him as provided in Chapter 187 of the 1962 Code of Iowa and hereby records the same this 17 day of April, 1964, under the provisions of said Chapter 187 of the 1962 Code of Iowa.

Be it further known that by the recordation of this instrument the following symbol or distinguishing mark becomes the exclusive property of Max Kilpatrick and no person shall adopt a similar mark or symbol for use within this County.

Be it further known that the following mark or symbol is here set out and shall be known as the "Rocking K" brand, and shall be placed on the left hip of the animal so branded.



Max Kilpatrick
Max Kilpatrick

Subscribed and sworn to before me this 17 day of April, 1964.

NOTARIAL SEAL

Martha K. Paton
Martha K. Paton, Notary Public
in and for Madison County, Iowa.

H. Claude Peer
To
The Public

#1469
Fee $1.50 ✓

Filed for record the 24 day of April A. D. 1964 at 10:45 o'clock A. M.
Mary E. Welty, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS

I, H. Claude Peer, being first duly sworn, on oath depose and say, to-wit:

That in connection with the following described real property, to-wit:

The North Sixty (60) feet of Lot Five (5), in Block Twenty-nine (29), of the Original Town of Winterset, Madison County, Iowa,

that where the names R. Vern Cummins and Ruth Vern Cummins appear they refer to one and the same person.

Dated this 23rd day of April A. D. 1964..

H. Claude Peer
(H. Claude Peer)

Subscribed and sworn to before me and in my presence by the said H. Claude Peer this 23rd day of April A.D. 1964.

NOTARIAL SEAL

Marian A. Mark
(Marian A. Mark) Notary Public
in and for Madison County, Iowa.

Paul L. Griffith
To
The Public

#1472

Fee $4.50 ✓

Filed for record the 24 day of April A. D. 1964 at 4:05 o'clock P. M.

Mary E. Welty, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS

I, Paul L. Griffith, being first duly sworn on oath depose and say, that I was one of the partners in the Poland-Griffith Oil Company, a copartnership composed of Paul L. Griffith, also known as P. L. Griffith, and J. W. Poland; that said partnership had been in existence since prior to the year 1944 and that said partnership was terminated as of January 1, 1964, with Paul L. Griffith purchasing all of the interest of J. W. Poland in and to said partnership business.

That during the existence of the partnership hereinbefore referred to certain real estate was purchased by the partners and that due to a misunderstanding, title to said real estate was taken in the name of Poland-Griffith Oil Company rather than in the names of the individual partners as tenants in common; that included in said real estate were the following tracts, to-wit:

That part of Lot Six (6), Block Seven (7) in the Town of Truro, Iowa, described as commencing at the Northeast Corner of said Lot Six (6) and proceeding West 54 feet, thence South 25 feet, thence East 54 feet, thence North 25 feet to the place of beginning (said real estate having been acquired by conveyance dated November 26, 1943, conveying to the named grantee "Poland-Griffith Oil Company"),
and
All that part of the right of way of the Chicago, Burlington & Quincy Railroad Company that lies North of the North line of what would be the eastward extension of Prairie Street, in Lot Six (6) of Block Seven (7) of the Original Town of Truro (formerly Ego) which abuts and immediately adjoins the lands of the grantee herein, being part of the Northwest Quarter (¼) of the Southwest Quarter (¼) of Section Fifteen (15), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M. Reserving, however, unto said Chicago, Burlington & Quincy Railroad Company, its successors and assigns, all of the coal, oil, gas and all other minerals underlying the surface of the above described premises (said conveyance being dated June 6, 1960, conveying said real estate to the named grantee "Poland-Griffith Oil Company"),
and
The North 52 feet of Lot Four (4), Block Twenty-six (26) of the Original Town of Winterset, Madison County, Iowa, (said conveyance being dated March 28, 1946, to the named grantee "Paul L. Griffith and J. W. Poland of Poland-Griffith Oil Company, Winterset, Iowa).

I further state that I know of my own knowledge that the only Poland-Griffith Oil Company doing business in Madison County, Iowa, was the partnership hereinbefore referred to up to and including the entire year 1963; that the named grantees in all of said conveyances referred to above were intended to convey said real estate to Paul L. Griffith and J. W. Poland as tenants in common in connection with the partnership business being conducted by said parties; that during the entire period of time that said parties were in partnership as Poland-Griffith Oil Company the only partners and owners of said business were Paul L. Griffith and J. W. Poland and that no other person had any claim, right or title in and to the real estate described above.

That under date of January 28, 1964, J. W. Poland and his wife, Eleanor Poland, conveyed to Paul L. Griffith an undivided one half (½) interest in and to the real estate described above; that by virtue of said conveyances it was intended that J. W. Poland was transferring his entire interest in and to said real estate to Paul L. Griffith; and that by virtue of said conveyances and by virtue of the termination of said partnership agreement hereinbefore