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

Acco Blackmer Co., Burlington, Iowa

referred to Paul L. Griffith would become the sole owner of all of said real estate; and that the conveyance from J. W. Poland was a conveyance of his undivided one half (½) interest in and to said real estate as a tenant in common.

That I, Paul L. Griffith, am now the record title holder of all of said real estate described above; that I am in complete, actual and sole possession of all of said real estate; 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 of the Code of Iowa and other statutes relative thereto.

Dated this 24th day of April, 1964.

Paul L. Griffith
Paul L. Griffith

Subscribed in my presence and sworn to before me by the said affiant this 24th day of April, 1964.

(NOTARIAL SEAL)

Robert O. Frederick
Robert O. Frederick, Notary Public
in and for Madison County, Iowa.

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 the same.

Paul L. Griffith
Paul L. Griffith

STATE OF IOWA MADISON COUNTY) SS

On this 24th day of April, 1964, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Paul L. Griffith, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

(NOTARIAL SEAL)

Robert O. Frederick
Robert O. Frederick, Notary Public
in and for Madison County, Iowa.

MARGINAL ENTRY

STATE OF IOWA MADISON COUNTY) 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 24 day of April, 1964.

COMPARED

Mary E. Welty Recorder

Orla DeVault
To
The Public

#1538

Fee $1.50 ✓

Filed for record the 1 day of May A. D. 1964 at 11:00 o'clock A. M.
Mary E. Welty, Recorder
Shirley G. Henry, Deputy

STATEMENT RE ADOPTION OF CATTLE BRAND

STATE OF IOWA MADISON COUNTY) SS.

I, Orla DeVault, of Route 4, Winterset, Jackson Township, Madison County, Iowa, being first duly sworn, state that I have adopted the brand hereinafter described for the marking of domestic animals owned by me, said brand to be known as the "D" brand:



That this statement of adoption of brand is prepared and filed under the provisions of Chapter 187 of the 1962 Code of Iowa.

Orla DeVault
Orla DeValut