Gordon K. Darling To The Public

#533

Fee $4.50

Filed for record the 8 day of April A.D. 1968 at 9:37 o'clock A. M.

Mary E. Welty, Recorder

AFFIDAVIT

I.M.M.

STATE OF IOWA COUNTY OF MADISON ) SS

I, Gordon K. Darling, being first duly sworn, upon oath, depose and state that I am a practicing attorney in Winterset, Madison County, Iowa. That I have been engaged in the practice of law in Madison County, Iowa, for more than 17 years. That I am familiar with the records in the office of the County Auditor of Madison County, Iowa, as they pertain to Section 6, Township 76 North, Range 26, West of the 5th P.M., and Section 31, Township 77 North, Range 26, West of the 5th P. M., Madison County, Iowa. That both of said sections are fractional. That Section 5, Township 76 North, Range 26, West of the 5th P. M. is not a fractional section.

That certified copies of the original government surveys of both of the sections above referred to are on file in said Auditor's Office.

That I am familiar with both of said surveys including the field notes thereof, and with the U. S. Government original entries and Patents on file in Madison County, Iowa respecting said two sections. In connection with said two sections, I state as follows:

1. The tract in said Section 6, shown by the original government survey plat to contain 40.80 acres, and to comprise the East 40.80 acres of the North Half of the North Half of said Section 6, is described in government original entry and patent as the Northeast Fractional Quarter of the Northeast Quarter of Section 6, Township 76 North, Range 26, West of the 5th P. M.

2. The tract in said Section 6 shown by the original government survey plat to contain 40 acres, and to comprise the East 40 acres of the South Half of the North Half of said Section 6, is described in government original entry and patent as the Southeast Quarter of the Northeast Quarter of said Section 6, Township 76 North, Range 26, West of the 5th P. M.

3. The tract in said Section 6 shown by the original government survey plat to contain 54.04 acres, and to comprise the West 54.04 acres of the South Half of the North Half of said Section 6, is described in government original entry and patent as the Southwest Fractional Quarter of the Northeast Quarter of Section 6, Township 76 North, Range 26, West of the 5th P. M.

4. The tract in said Section 6 shown by the original government survey plat to contain 52.67 acres, and to comprise the West 52.67 acres of the North Half of the North Half of said Section 6, is described in government original entry and patent as the Northwest Fractional Quarter of the Northwest Quarter of Section 6, Township 76 North, Range 26, West of the 5th P. M.

5. With respect to the tract in said Section 6 shown by the original government survey plat to contain 80 acres, and to comprise the East 80 acres of the South Half of said Section 6, the North half of said tract is described in government original entry and in government patent issued October 2, 1854 to Benjamin F. Allen, recorded in Book 51, Page 535, Madison County, Iowa Recorder, as the Northeast Quarter of the Southeast Quarter of Section 6, Township 76 North, Range 26, West of the 5th P. M.

6. The tract in said Section 6 shown by the original government survey plat to contain 55.79 acres, and to comprise the West 55.79 acres of the North Half of the South Half of said Section 6, is described in government original entry and patent as the Northwest Fractional Quarter of the Southeast Quarter of Section 6, Township 76 North, Range 26, West of the 5th P. M.

I further depose and state that the South One-half of Fractional Section 31, Township 77 North, Range 26, West of the 5th P. M. is also correctly described as Government Lots 3, 4 and 5 of Section 31, Township 77 North, Range 26, West of the 5th P. M.

I further depose and state that in the chain of title in connection with said Section 6, Township 76 North, Range 26, West of the 5th P.M. portions of the North One-half of said Section 6 are also described in patents and various conveyances in the chain of title as the Northeast Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Northwest Quarter, and the Southwest Quarter of the Northeast Quarter of Section 6, Township 76 North, Range 26, West of the 5th P. M., and also the North One-half of the Northeast Quarter of Section 6, Township 76 North, Range 26, West of the 5th P. M.

I further depose and state that the North One-half of the South One-half of said Section 6, Township 76 North, Range 26, West of the 5th P. M., is also described in patents and various conveyances in the chain of title as the Northeast Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter of said Section 6 also as the Northeast Quarter of the Southeast Quarter and the West 55.79 acres of the North Half of the South Half of Section 6, Township 76 North, Range 26, West of the 5th P. M.; and also as the North One-half of the South One-half of Fractional Section 6, Township 76 North, Range 26 West of the 5th P. M.

I further depose and state that the record chain of title as to the North three-quarters of Section 6, Township 76 North, Range 26, West of the 5th P. M., and the South Half of Section 31, Township 77 North, Range 26, West of the 5th P. M., reflects that from time to time deeds and other instruments have used the word "fractional" in describing various tracts in said sections and sometimes the word "fractional" was not used either in connection with the particular tract or the particular section as a whole. That both of said sections are, in fact, fractional sections and whether or not the word "fractional" is used, the descriptions previously set forth in this affidavit all refer to the various tracts designated in said sections and described in this affidavit.

Gordon K. Darling
Gordon K. Darling

Subscribed and sworn to before me by Gordon K. Darling on this 4th day of April, 1968.

NOTARIAL SEAL

Martha K. Paton
Martha K. Paton, Notary Public
in and for said County.

Marc C. Daniels
To
The Public

#540
Fee $1.50 I.M.M.
AFFIDAVIT

Filed for record the 9 day of April A.D. 1968 at 10:34 o'clock A. M.
Mary E. Welty, Recorder

WHEREAS, the undersigned is one of the grantees in a certain deed dated March 9, 1961 whereby Mabel Crumbaker Daniels did convey the following described real estate to Marc C. Daniels and Lois V. Daniels, to-wit:

> the Southwest Fractional Quarter (¼) of Section Thirty-one (31) in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, State of Iowa,

NOW THEREFORE, the undersigned grantee does hereby state that said conveyance was reported by the said Mabel Crumbaker Daniels to the District Director of Internal Revenue Service in Des Moines, Iowa in a certain Gift Tax Return dated January 25, 1962.

Dated at Dubuque, Iowa this 5th day of April, A.D., 1968.

Marc C. Daniels
Marc C. Daniels