Miscellaneous Record, No. 25, Madison County, Iowa

Charles D Van Werden
To
The Public

#4253
Fee $.50 VC

Filed for record the 25 day of October A. D. 1948 at 9:00 o'clock A. M.
Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa, Madison County.) ss:

I, Charles D Van Werden, of said county and state, being first duly sworn on my oath depose and say that I have been a resident of Madison County, Iowa, for more than 10 years last past and am well and personally acquainted with Colby E. Rollstin who on Jan. 16, 1939, entered into a written lease with the Central States Oil Corporation of Winterset, Iowa, leasing the following described real estate:- 8½ acres of the SE. part of SE¼ SE¼ Sec. 27, and the South 72 acres of W½ SW¼ Sec. 26, Twp. 74, Range 28, containing 80 acres more or less, in Madison County, Iowa, for a term of 10 years from said date, and as long thereafter as oil, gas, casing-head gas, casing-head gasoline, or any of them were produced from said land, providing a well were commenced on said land on or before one year from the date of said lease, and further providing that if no well be commenced within said time, said lease was to terminate unless the lessee on or before said date tendered to him or to his credit the sum of 25¢ per acre as rent which was to act, operate and cover the privilege of deferring the commencement of a well for 12 months from said date, and upon like payments or tenders the commencement of a well could further be deferred for like periods of the same number of months, successively; that said lease was filed for record in the office of the Recorder of Madison County, Iowa, on Feb. 1, 1939, and is recorded in Mortgage Record 90, page 531, of said records; that no well was commenced on the land above described before Jan. 16, 1940; that the lessee, Central States Oil Corporation of Winterset, Iowa, did not pay or tender to his credit, 25¢ an acre as the rental for said land; that no well has been commenced at any time on said land by the Central States Oil Corporation, and that said corporation has not made any payments of any kind or rent for said land, and that said lease has expired and terminated according to the terms and conditions thereof more than 8 years ago.

I further state that I have no interest in said land and that the above facts are stated from personal knowledged and for the purpose of establishing the same of record.

Charles D Van Werden

NOTARIAL SEAL

Subscribed in my presence and Sworn to before me by the above named affiant this 23 day of October, A. D. 1948.

Harry F. Anderson Notary Public in and for Madison County, Iowa.

Alf. D. Danforth, et al
To
The Public

#4265
Fee $.50 VC

Filed for record the 25 day of October A. D. 1948 at 11:15 o'clock A. M.
Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa, Madison County, ss.

Alf. D. Danforth and E. W. Cummins being sworn, depose and say as follows:

That we are now and have been since long prior to Jan. 1, 1930, residents of Winterset, in Madison County, Iowa, and that throughout such period of time we have been well acquainted with the ownership and possession of Lot 4, in Block 10, of the Original Town Plat of Winterset, Iowa; that to our personal knowledge, David D. Weems and Cleo Pearl Weems, husband and wife, present owners of record of said real estate, together with their grantors, immediate and remote, have, since long prior to Jan. 1, 1930, had, held, owned and enjoyed the full, absolute, uninterrupted, peaceable and adverse possession, ownership, occupancy and control of the whole of said real estate, under claim of right and color of title, and that to our knowledge, no person, firm or corporation has, since long prior to Jan.1, 1930, made or asserted or attempted to make or assert any claim of right, title or interest in or to said real estate or any part thereof adverse to the right, title and interest of the said David D. Weems and Cleo Pearl Weems, or of their said grantors, therein

State of Iowa } ss.
Madison County }

I hereby certify that the annexed affidavit was filed by the owner in possession of the lands mentioned therein. Dated October 25 1948

Wilma M. Wade Recorder

or thereto.

That we have no interest in said real estate and make this affidavit at the request of said present record title holders thereof for the purpose of establishing of record the matters herein stated.

Alf. D. Danforth
E. W. Cummins.

NOTARIAL SEAL

Subscribed in my presence and sworn to before me by the said Alf. D. Danforth and E. W. Cummins, affiants, this 25 day of October, A. D. 1948.

H. C. Fosher Notary Public
within and for Madison County, State of Iowa.

Fred Cromwell
To
The Public

#4352
Fee $.60

Filed for record the 30 day of October A. D. 1948 at 10:09 o'clock A. M.
Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa Des Moines County) ss

I, Fred Cromwell, on being first duly sworn, depose and state that I am a practicing attorney in Des Moines County, Iowa, and have been for more than ten years last past. That I was acquainted with Herman R. Weinrich, sometimes known as H. R. Weinrich, who died in Des Moines County, Iowa, on April 11, 1942 intestate and whose estate was probated in Des Moines County, Iowa.

I further depose and state that I was attorney for the administratrix in said estate, and had personal knowledge as to his heirs and property. That he died survivied by his widow, Mollie B. Weinrich and four children, all adults namely, Vera H. Peckham whose husband is Perl M. Peckham; Ruth B. Vollmer whose husband is Lloyd W. Vollmer; Wilma W. Dutton whose husband is Richard H. Dutton; and Herbert Weinrich who is now under a guardianship and his guardian is Richard H. Dutton. That the said Herman R. Weinrich is one and the same as the H. R. Weinrich set forth in Declaration of Trust, dated in October 1932, whereas the Titus Management Company, incorporated with principal place of business at Muscatine, Iowa, held title to the following described real estate situated in Madison County, Iowa, described as follows:

> "The West Half of the Southeast Quarter (SE¼) and the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Fourteen (14) the North Half (N½) of the Northwest Quarter (NW¼) of Section Twenty three (23) and the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty two (22) all in Township Seventy four (74) North, Range Twenty eight (28) West of the Fifth P.M. and containing 240 acres more or less."

for the use and benefit of among others H. R. and Mollie Weinrich, or either of them, or survivor, 80 parts out of 215 parts. That the Mollie Weinrich as set forth in trust is one and the same as his surviving widow, Mollie B. Weinrich. That to my knowledge the said Mollie B. Weinrich assumed the ownership of said interest in said trust following her husband's death.

That the said Mollie B. Weinrich died in Des Moines County, Iowa, intestate on the 5th day of January 1944, survived by the same children as survived her husband Herman R. Weinrich and who were her sole heirs at law. That the estate of Mollie B. Weinrich was administered in Des Moines County, Iowa and has been closed. That in the distribution of her estate, the guardianship of Herbert Weinrich received the interest in above named trust as part of his distributive share in the said estate.

Fred Cromwell

Subscribed and sworn to before me this 28th day of October, 1948.

Maxine C. Frank Notary Public
in and for Des Moines County, Iowa

NOTARIAL SEAL