Northeast Quarter of the Northeast Quarter of Section 34, and the Northwest Quarter of the Northwest Quarter of Section 35, all in Township 74 North, Range 29 West of the 5th P. M., in Madison County, Iowa, which deed is dated March 21, 1939, and is recorded in Deed Record 77 of Madison County, Iowa, Records, at Page 44, and that at that time neither I nor my said wife, Maggie B. Walker, had any homestead in said premises or any part thereof, and we did not live on said premises, and we were residents of Union County, Iowa, at that time, and had our home and homestead on another tract of real estate, in Union County, Iowa, at that time.

Ira J. Walker

Subscribed in my presence and sworn to before me by said Ira J. Walker this 3 day of March, 1949.

NOTARIAL SEAL

Thos. E. Mullin, Notary Public in and for Union County, State of Iowa.

Merl S. Utsler To The Public

#1345 Fee $.50/

Filed for record the 5 day of March A. D. 1949 at 10:25 o'clock A. M.

Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa, Madison County, ss.

I, Merl S. Utsler, a resident of said State and County, being sworn, depose and say as follows:

That I am the Merl S. Utsler named as one of the grantees in the warranty deed executed by Lena B. Rollstin, widow and unmarried, dated Mar. 1, 1948, recorded Mar. 2, 1948, in Deed Record 32, at page 99, of Madison County, Iowa, records, which conveyed to Merl S. Utsler and Harriett L. Utsler as joint tenants, and not as tenants in common, with full right of survivorship, Lot 8 and the East 38 feet of Lot 7, in Block 28, of the Original Town of Winterset, Madison County, Iowa, and that I am the Merl S. Utsler named as one of the grantees in the quitclaim deed executed by T. A. Lewis and wife, Doris, dated Mar. 1, 1948, recorded Mar. 2, 1948, in Deed Record 28, at page 275, of said records, which quitclaimed all right, title and interest in and to said real estate to Merl S. Utsler and Harriett L. Utsler as joint tenants with sole right of survivorship and not as tenants in common, and that I am the Merl S. Utsler mortgagor in a mortgage to Union State Bank, Winterset, of Madison County, Iowa, dated Feb. 26, 1949, recorded Feb. 26, 1949, in Mortgage Record 100, at page 236, of said records, covering said real estate and securing payment of the sum of $1500.00.

That the said Harriett L. Utsler, grantee in said warranty deed and in said quitclaim deed, was my wife; that we owned and held title to said real estate as joint tenants and not as tenants in common, with full right of survivorship, as provided in and by said deeds, up to the time of the death of my said wife, Harriett L. Utsler, on Dec. 29, 1948; that the said Harriett L. Utsler, grantee as aforesaid, was the same and identical person as the Harriett Louise Utsler, who, as is shown by Death Record 4, on page 135 thereof, on file in the office of the Clerk of the District Court of Madison County, Iowa, died on Dec 29, 1948.

That upon the death of my said wife, Harriett Louise Utsler, I, as the survivor of the grantees named in the aforesaid deeds, became the sole owner of said real estate; and this affidavit is made to establish such ownership of record.

Merl S. Utsler

Subscribed in my presence and sworn to before me by the said Merl S. Utsler, this 4th day of March, A. D. 1949.

(District Court Seal)

Rex V Johnson Clerk of Court within and for Madison County, Iowa.