OFFICE OF THE SECRETARY OF STATE
Des Moines, Iowa

This instrument recorded in Book 1-W, Page 488, June 28-1949, Expires June 28, 1999, Cert. No. 1099, Receipt No. 1099, Filed by John Hartley, Atty, Winterset, Iowa, Filing Fee 5.00 Recording Fee ✓
Melvin D. Synhorst Secretary of State

OFFICE OF THE SECRETARY OF STATE
Des Moines, Iowa

This instrument Re-recorded in Book 1-X, Page 502, Sept-30-1949, Expires June 28, 1999, Cert. No. 1099, Receipt No. 1099, Filed By Jno. N. Hartley, Winterset, Iowa, Filing Fee ✓ Recording Fee 1.00
Melvin D. Synhorst Secretary of State

COMPARED

Mary Powers #5549
To
The Public

Fee $ .50 ✓

Filed for record the 21 day of October, A. D. 1949 at 8:20 o'clock A. M.

Wilma M. Wade, Recorder

AFFIDAVIT

STATE OF IOWA POLK COUNTY) SS:

I, Mary Powers, being first duly sworn on oath depose and say; that I am a niece of Michael Loftus, who is one of the grantees in the warranty deed dated April 1, 1916, which is recorded in Book 58, page 263, Madison County, Iowa; that I am over seventy years of age and that I was well acquainted with Katherine E. Loftus, the wife of Michael Loftus, and that the said Katherine E. Loftus is also a grantee in the above mentioned deed.

I know that the said Katherine E. Loftus died a resident of Madison County, Iowa, on the 19th day of April, 1938, and that she left no last will and testament, and that her only marriage was to Michael Loftus and that they had no children and they adopted no children and she left no children surviving her and no children of deceased children surviving her. That I was quite familiar with the affairs of the aforementioned parties and I know that at the time of her death the only property of any type or character which the said Katherine E. Loftus owned was her undivided one-half interest in the

East One-Half (E½) of the Southwest Fractional Quarter (SW frl.¼) of Section Thirteen (13), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., lying South of the center of the public highway as now located running East and West, Madison County, Iowa.

I further know that at the time of her death the value of her undivided one-half interest in the above real estate did not exceed the sum of $1800.00.

Mary Powers

NOTARIAL SEAL

Subscribed and sworn to before me and in my presence by Mary Powers this 19 day of October, 1949.

Geroge E. Omalley Notary Public in and for Polk County, Iowa

William D. Gallagher #5550
To
The Public

Fee $ .50 ✓

Filed for record the 21 day of October A. D. 1949 at 8:23 o'clock A. M.

Wilma M. Wade, Recorder

AFFIDAVIT

STATE OF IOWA POLK COUNTY) SS:

I, William D. Gallagher, being first duly sworn on oath depose and state that Michael Loftus and Katherine E. Loftus, who were grantees in the warranty deed dated April 1, 1916, which is recorded in Book 58, Page 263, Madison County Recorder's Office, were my uncle and aunt-in-law respectively.

That the said Katherine E. Loftus died a resident of Madison County, Iowa, on the 19th day of April, 1938; that she did not leave any last will and testament, and that her only marriage was to Michael Loftus and they had no children and that she left no children surviving her and no children of deceased children surviving her.

That I was very familiar with the affairs both of the said Michael Loftus and said Katherine E. Loftus, and I know that at the time of her death the only property of any type or character which she owned was her undivided one-half interest in the

East One-half (E½) of the Southwest Fractional Quarter (SW frl.¼) of Section Thirteen (13), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., lying

South of the center of the public highway as now located running East and West, Madison County, Iowa.

and that at the time of her death the value of her undivided one-half (1/2) interest in said real estate would not exceed the sum of Eighteen Hundred ($1800.00) Dollars. That at the time of her death all her property went to her surviving husband, Michael Loftus, who did not cause her estate to be probated.

I further state that I handled her burial as I was an undertaker at the time of her death, and I know of my own personal knowledge that all the debts of her last illness and burial have long since been paid; and, I further know that she had no unpaid debts at the time of her death and owed no taxes of any kind.

That I have had occasion to look through all the personal papers of the said Katherine E. Loftus, and I know the above facts from personal observation and my close contact with the said husband, Michael Loftus, and his deceased wife, Katherine E. Loftus.

William D Gallagher

NOTARIAL SEAL

Subscribed and sworn to before me and in my presence by William D. Gallagher this 19th day of October, 1949.

George E. Omalley Notary Public in and for Polk County, Iowa

Lewis Mease et al To The Public

#5658

Fee $ .50

Filed for record the 26 day of October A. D. 1949 at 11:30 o'clock A. M.

Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa, Madison County)ss:

I, Lewis Mease and I, Fred H. Riggle, of said county and state, each being first duly sworn on oath depose and say that we have been residents of Madison County, Iowa, for more than 20 years last past, and during all of said time have lived in the neighborhood of and been familiar with the title, ownership, and occupancy of the West 88/100 of an acre of the North 1 3/4 acres of the South 4 3/4 acres of the East 16 7/11 acres of the Southwest Quarter of the Southwest Quarter of Section 15, Township 74, North, Range 26 West of the 5th P. M., Madison County, Iowa, and we know of our own personal knowledge that R. E. Muselman and Reba D. Muselman entered into possession of said real estate on or about Dec. 13, 1921, under and by virtue of the warranty deed recorded in Deed Rec. 65, page 293, of the records of Madison County, Iowa, and they and their grantors, immediate and remote, for more than 20 years last past, have been in the actual, open, notorious, continuous, adverse, exclusive, uninterrupted and peaceable possession, occupancy, and control of all of said real estate and every part and parcel thereof under claim of right and color of title, have occupied the same either by themselves or their tenants claiming under them, have paid the taxes thereon, and received the rents, issues, and profits thereof, and that no claim of any kind adverse to the possession of said parties has ever been asserted to any of said real estate to our personal knowledge since prior to Jan. 1, 1930, and that the said R. E. Muselman and Reba D. Muselman now enjoy peaceable possession thereof.

We further state that we are in no way interested in the title to the above described real estate, but make this affidavit at the request of the present owner thereof for the purpose of establishing of record the facts above set forth.

Lewis Mease
Fred H. Riggle

Subscribed in my presence and Sworn to before me by the above named affiants this 25 day of October, A. D. 1949.

Arthur Purvis Notary Public in and for Madison County, Iowa.

(Notarial Seal)

State of Iowa, Madison County) ss:

I, Wilma M. Wade, County Recorder in and for said county and state aforesaid, hereby certify that the foregoing affidavit was filed in my office by the owners in possession as named in said affidavit, and recorded and entered on the records thereof on the 26 day of October, A. D. 1949.

COMPARED

Wilma M. Wade County Recorder of Madison County, Iowa.