# Miscellaneous Record, No. 25, Madison County, Iowa

C. C. Kale &
Arthur Purvis
To
The Public

#8279

Fee $ .70

Filed for record the 16 day of December A. D. 1950 at 10:40 o'clock A. M.
Wilma M. Wade, Recorder
Mary E. Welty, Deputy

AFFIDAVIT

State of Iowa, Madison County, ss.

C. C. Kale and Arthur Purvis, being sworn, depose and say as follows:

That we are now and have been since long prior to Jan. 1, 1930, residents of Ohio Township, in Madison County, Iowa, otherwise known as Township 74 North, of Range 26 West of the 5th P.M., and of the town of Truro in said Township or its vicinity. That throughout such period of time we have been well acquainted with the ownership, occupancy and control of that certain tract of real estate described as: Commencing at a point 30 feet West of the Northwest corner of Block 1 of Hull's Addition to the Town of Truro, Madison County, Iowa, which point is 42 rods and 7 feet South and 27 rods and 13½ feet West of the Northeast corner of the Southeast Quarter (¼) of Section 16, in Township 74 North, of Range 26 West of the 5th P.M., and running thence West parallel with the South line of said section, 132 feet, thence South 160 feet, thence East parallel with said South line of said section 132 feet, thence North 160 feet to the point of beginning, which is now owned of record by Albert E. Mack and Dorothea M. Mack under and by virtue of their deed for said Real estate from Ralph Pinckney and wife, dated Nov. 12, 1946, and recorded in Deed Record 83, at page 175, of the records of said County. That to our knowledge, the said Albert E. Mack and Dorothea M. Mack, 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 tract of real estate, under claim of right and color of title, and that to our knowledge, no person, firm or corporation has, throughout such period of time, made or asserted or attempted to make or assert any claim of right, title or interest in or to any part of said real estate adverse to the right, title and interest therein or thereto of the said Albert E. Mack and Dorothea M. Mack, or of their said grantors.

That at one time, and prior to Jan. 25, 1907, one J. F. Roby was the owner of the real estate hereinabove described. That he sold the same to one E. E. Kale and on Jan. 25, 1907, executed his deed conveying the same to the said E. E. Kale, which is of record in Deed Record 48, at page 95, and which described said real estate as .25/A of the Northwest part of the SE¼ NE¼ of SE¼ of Section 16-74-26; that subsequently, the said E. E. Kale sold said tract to one A. E. Roby and on Feb. 15, 1909, executed his deed conveying the same to the said A. E. Roby, which is of record in Deed Record 49, at page 78, and which described said real estate as 25/a of the Northwest part of the SE¼ NE¼ SE¼ of Sec. 16-74-26. That it was the intent of the parties to convey by said deeds the real estate as first described herein, and none other. That we were well and personally acquainted with said grantee, A. E. Roby, and know that he was the same person as Albert Evans Roby who died seized of said real estate on or about June 21, 1924, and whose estate was probated at No. 3111 Probate in the office of the Clerk of the District Court of Madison County, Iowa.

That we are in no way interested and make this affidavit for the sole purpose of having it placed of record to establish the facts hereinbefore related.

C. C. Kale
Arthur Purvis

Subscribed in my presence and sworn to before me by the said C. C. Kale and Arthur Purvis, affiants, this 15 day of December, A. D. 1950.

M. S. Creger Notary Public
within and for Madison County, Iowa.

NOTARIAL SEAL

State of Iowa
Madison County } ss.

I hereby certify that the annexed affidavit was filed by
the owner in possession of the
lands mentioned therein. Dated December 16 1950

Wilma M. Wade
Recorder