Miscellaneous Record, No. 25, Madison County, Iowa

Alfred J. Schmuecker To The Public — #2176 — Fee $ .50 — Filed for record the 27 day of February A. D. 1951 at 10:30 o'clock A. M. Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa, Benton County) ss;

I, Alfred J. Schmuecker, of said county and state, being first duly sworn on my oath, depose and say that I have been a resident of Benton County, Iowa, for more than 20 years last past and was well and personally acquainted with George Frese, formerly a resident of Benton County, Iowa, who died testate in said county on or about Sept. 2, 1937, leaving a last will and testament with codicil thereto, which were admitted to probate in the District Court of Benton County, Iowa, on Sept. 24, 1937.

I further state that the said George Frese left no surviving spouse, he being a widower at the time of his death.

Alfred J. Schmuecker

NOTARIAL SEAL

Subscribed in my presence and Sworn to before me by the above named affiant this 24th day of February, A. D. 1951.

John E. Waychoff Notary Public within and for Benton County, Iowa.

Orvel White To The Public — #2193 — Fee $ .70 — Filed for record the 27 day of February A. D. 1951 at 3:05 o'clock P. M. Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa, Madison County) SS:

I, Orvel White, being duly sworn, depose and say: that I am a resident of Madison County, Iowa, and am of legal age; that I am well and personally acquainted with the following described real estate situated in Madison County, Iowa, to wit:

> The North Half of the Southwest Quarter of Section Twenty-six (26); and the North 50 acres of the East Half of the Southeast Quarter, and the East Half of the Northeast Quarter, and the East 30 acres of the Southwest Quarter of the Northeast Quarter, of Section 27; in Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa;

and that I have been well and personally acquainted with said real estate for more than 50 years, and have lived in the vicinity where said real estate is situated; that I am familiar with the location of a cemetery in the North Half of the Southwest Quarter of Section 26, Township 77 North, Range 28 West of the 5th P.M., and know that it contains about an acre located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 77 North, Range 28 West of the 5th P.M., and lies in a square form next to the north line thereof, and is fenced off as a separate tract, and the public highway running from the east to the west along the north side of said forty-acre tract in which said cemetery is located as aforesaid, makes a turn to the south at the east line of said cemetery and runs south to the south line of said cemetery, then runs west to the west line of said cemetery, then runs north to the north line of said forty-acre tract, and then runs west along the north line of said forty-acre tract, thus separating and setting off, by said public highway, said cemetery from the remainder of said Northwest Quarter of the Southwest Quarter of Section 26, Township 77 North, Range 28 West of the 5th P.M., and that said highway and said cemetery have been so located ever since I have known said real estate; that said cemetery has graves and monuments marking the graves of deceased persons buried therein; that said cemetery has usually been referred to as the Bennett Cemetery in that community, and many members of the Bennett families who lived in that community are buried there; that there has never been any other cemetery or other place used for burial of deceased persons in any part of any of said real estate hereinbefore described, since I have known said real estate, and there are no signs of any other cemetery or other place of burial used in any other part of said real estate, and I have never heard of any other, and there has never been any other tract of any other kind ever fenced off from or separated from or used separately, in any way, from the remainder of said real estate; that Jotham C. Blackburn and Elizabeth A. Blackburn, husband and wife, the holders of the record title of all

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 February 27 1951

Wilma M. Wade Recorder