of said real estate hereinbefore described, and now in possession of all of the same, except said cemetery tract hereinbefore referred to as being separated from the remainder of the land by said public highway, and their grantors, immediate and remote, have been in actual, open, notorious, hostile, exclusive, continuous and adverse possession of all of said real estate, except said cemetery tract hereinbefore referred to as being separated by said public highway, under color of title and claim of right, since prior to January 1, 1901; that I have no interest in this matter except to help establish the facts; all of which is true, as I verily believe. Orvel White

Subscribed in my presence and sworn to before me by said Orvel White this 27th day of February, 1951.

NOTARIAL SEAL

Daniel J. Gallery Notary Public
in and for Madison County, Iowa.

Phil R. Wilkinson
To
The Public

#2194
Fee $.60

Filed for record the 27 day of February A. D. 1951 at 3:30 o'clock P. M.
Wilma M. Wade, Recorder

AFFIDAVIT

State of Iowa, Madison County } SS:

I, Phil R. Wilkinson, being duly sworn, depose and say: that I am the Phil R. Wilkinson who was the Executor of the Estate of Mary E. Cunningham, Deceased, No. 5205 Probate in Warren County, Iowa, District Court; that said Mary E. Cunningham died seized of real estate in Madison County, Iowa, described as the South 30 acres of the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northeast Quarter, of Section 8, and the Southwest Quarter of the Northwest Quarter of Section 9; all in Township 76 North, Range 26 West of the 5th P.M., and that said real estate was devised, in the last will and testament of said Mary E. Cunningham, to her sister, Katherine Beam, who lives at Winterset, Iowa; that where in the inventory of real estate in the Preliminary Inheritance Tax Report in said estate listing of made of South 30 acres of the SW¼ of the NW¼, in Section 8-76-26, the same is a typographical error, and the real estate intended to be listed there was South 30 acres of the SW¼ of the NE¼, in Section 8-76-26, and that in the Commission to Inheritance Tax Appraisers in said estate said real estate was correctly described as South 30 acres of the SW¼ of the NE¼, in Section 8-76-26, and was appraised by the Inheritance Tax Appraisers in said estate in accordance with said last-mentioned and correct description; that said real estate was correctly described in the Final Report in said estate; that said real estate devised to said Katherine Beam as aforesaid was never sold by the Executor of the said estate of Mary E. Cunningham, Deceased, for the payment of debts or bequests or for any other purpose, nor any power to sell, and it was not sold or disposed of in any way by any proceedings in said estate, neither in whole nor in part, and that inheritance and estate taxes, both State and Federal, on property passing to said Katherine Beam in said estate of Mary E. Cunningham, Deceased, were paid in full, and said real estate so devised to said Katherine Beam passed to her as beneficiary under said last will and testament of said Mary E. Cunningham, Deceased, without being affected in any way by any proceedings to sell or dispose of or mortgage or encumber in any way in said Estate of Mary E. Cunningham, Deceased, and said Katherine Beam took possession of said real estate devised to her, as described in said last will and testament of Mary E. Cunningham, Deceased, and has ever since had actual, open, exclusive possession of the same. All of which is true, as I verily believe. Phil R. Wilkinson

Subscribed in my presence and sworn to before me by said Phil R. Wilkinson on this 26th day of February, 1951.

Daniel J. Gallery Notary Public
in and for Madison County, Iowa.

NOTARIAL SEAL

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