Town of St. Charles, in Madison County, Iowa; that I was personally acquainted with Harrison Shutt, who was the grantee in a deed dated October 27, 1921, recorded in Town Lot Deed Record 24 of Madison County, Iowa, at Page 156, conveying to him the same real estate which is described hereinbefore, and I know that said Harrison Shutt, who was grantee in said deed, was the same, identical person as the J. H. Shutt who died in the year 1922, a resident of Madison County, Iowa, and whose estate was probated as No. 2954 Probate in Madison County, Iowa, District Court, his full name being James Harrison Shutt and I have also been acquainted with the children and heirs at law of said J. H. Shutt, who was also known as Harrison Shutt, and I know that, wherever in the proceedings in said estate of J. H. Shutt, Deceased, the name Henry Shutt or the name D. H. Shutt appears, the person named, and intended to be named, is one and the same, identical person, said Henry Shutt being a son of said Decedent, J. H. Shutt, said Henry Shutt being also known and referred to as D. H. Shutt, and I know that, wherever in the proceedings of said estate of J. H. Shutt, Deceased, the name Wm. Shutt or the name W. E. Shutt appears, the person named, and intended to be named, is one and the same, identical person, said Wm. Shutt being a son of said decedent, J. H. Shutt, and being also known and referred to as W. E. Shutt; that I was also acquainted with Mary R. Buchanan, who died in the year 1944, a resident of Madison County, Iowa, and whose estate was probated as No. 4789 Probate in Madison County, Iowa, District Court, and that I have also been acquainted with her children and heirs at law, and I know that wherever in the proceedings in said estate of Mary R. Buchanan, Deceased, or in the deed recorded in Town Lot Deed Record 30 of Madison County, Iowa, at Page 403, the name Charles M. Buchanan or the name Charles N. Buchanan appears, the person named, and intended to be named, is one and the same, identical person, he being a son of said Mary R. Buchanan, and I know that wherever in the proceedings in said estate of Mary R. Buchanan, Deceased, or in the deed recorded in Town Lot Deed Record 30 of Madison County, Iowa, at Page 403, the name Mabel Sayre or the name Mable Sayre appears, the person named, and intended to be named, is one and the same, identical person, she being a daughter of said Mary R. Buchanan, and I know that wherever in the proceedings in said estate of Mary R. Buchanan, Deceased, or in the deed recorded in Town Lot Deed Record 30 of Madison County, Iowa, at Page 403, the name Beulah Z. Anderson or the name Beulah Anderson appears, the person named, and intended to be named, is one and the same, identical person, she being a daughter of said Mary R. Buchanan; that I have no interest in this matter except to help establish the facts.

Wm. Strable

Subscribed in my presence and sworn to before me by the said Wm. Strable, this 13th day of December, 1951.

NOTARIAL SEAL

Joan Dabner Notary Public
in and for Madison County, Iowa.

Alva E. Miller &
C. E. Downs
To
The Public

#8352

Fee $1.00

Filed for record the 24 day of December A. D. 1951 at 9:00 o'clock A. M.

Wilma M. Wade, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) ss.

C. E. Downs and Alva E. Miller, being first duly sworn on oath, depose and say that we have been residents of St. Charles, Iowa, for more than 50 years. That we were well and personally acquainted with the St. Charles Park and Improvement Association, and the members of the said Association, which Association became the owner of the following described real estate, to-wit:

Lots Numbered Three (3) and Four (4) of the North-West Section of the Town of St. Charles,

by deed recorded in Book 10 on page 550 of the Deed Records of Madison County, Iowa.

That prior to the year of 1940, the Trustees of said Association voted unanimously to give the above described real estate to the Town of St. Charles, Iowa, to be used for

park purposes only, and that the buildings on said real estate were removed, and the real estate given to the Town of St. Charles, Iowa, to be used as a park. That since that time said real estate has been in the possession of the Town of St. Charles, Iowa, and has been used by said Town for a park. That the gift of said real estate to the Town of St. Charles was intended as an absolute gift, and a transfer to the Town of St. Charles of all of the right, title, lien and interest of the said St. Charles Park and Improvement Association, as long as the said real estate should be used by the said Town for park purposes.

That we and each of us are well and personally acquainted with E. E. Pomeroy, who quit claimed said real estate to the Town of St. Charles, Iowa, on behalf of the said St. Charles Park and Improvement Association; that we know that the said E. E. Pomeroy is the sole surviving member of said Association; that he had the authority to so quit claim said real estate to the Town of St. Charles, Iowa. We further state that we have no interest whatsoever in the premises herein described.

Alva E. Miller
C. E. Downs

NOTARIAL SEAL

Subscribed in my presence and sworn to before me by the said C. E. Downs and Alva E. Miller this 21 day of December, A. D. 1951,

Rex V. Johnson Notary Public
in and for Madison County, Iowa.

Charles D. Van Werden
To
The Public

#8393
Fee $1.40

Filed for record the 27 day of December A. D. 1951 at 8:00 o'clock A. M.
Wilma M. Wade, Recorder
Mary E. Welty, Deputy

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS

I, CHARLES D. VAN WERDEN of said County and State, being first duly sworn, on oath depose and say that I have been a resident of and practiced law in Madison County, Iowa, for more than twenty years last past; that I was well and personally acquainted with O. L. Stewart and the members of his family; that the said O. L. Stewart died intestate, a resident of Madison County, Iowa, on or about the 28th day of March, 1934; that at said time he was the owner of certain real estate, a part of which is described as follows, to-wit:

Northwest Quarter of the Northeast Quarter of Section 36, Township 74, North of Range 28, West of the Fifth P. M., Madison County, Iowa;

that throughout the estate proceedings of O. L. Stewart, being Probate File No. 3936 and found in Docket "J" at Page 217 of the records of the office of the Clerk of the District Court of Madison County, Iowa, said estate is described as the Northwest Quarter of the Northwest Quarter of Section 36, Township 74 North, Range 28, West of the Fifth P. M., Madison County; that same was a typographical error and the real estate of which O. L. Stewart died seized and which should have been shown in his estate proceedings should have been described as the Northwest Quarter of the Northeast Quarter of Section 36, Township 74 North, Range 28, West of the Fifth P. M., Iowa.

That in the estate proceedings of O. L. Stewart hereinbefore referred to, the surviving spouse is named as Lois Stewart; that in a warranty deed dated April 1, 1947, and found of record in Deed Record 83 at Page 275 of the records of the Office of the County Recorder of Madison County, Iowa, one of the grantors is named as Lois Stewart Kirk; that said Lois Stewart and Lois Stewart Kirk are one and the same person and wherever in the chain of title to the Northwest Quarter of the Northeast Quarter of Section 36, Township 74 North, Range 28, West of the Fifth P. M., Iowa, the names Lois Stewart or Lois Stewart Kirk appear, they refer to one and the same person and that her full, true and correct name is now Lois Stewart Kirk.

That in the estate proceedings of O. L. Stewart, deceased, Philip Stewart is named as an heir-at-law; that at different places in the chain of title to the Northwest Quarter of the Northeast Quarter of Section 36, Township 74 North, Range 28, West of the Fifth P. M. Iowa, the name of said party appears as Philip O. Stewart; that wherever in the chain of