Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P. M., Madison County, Iowa.

In consideration of this privilege of ingress and egress, the second party, her agents and assigns, agree to keep the gates now owned and maintained by first party, and such other gates as may be erected, closed and to maintain the gate in the partition fence between the real estate owned by first and second parties respectively.

Second party also agrees to use said right in such a reasonable manner as to inflict as little damage as possible on first party.

It is understood and agreed that first party, his heirs, representatives or assigns, may at their election terminate the right of second party, her heirs, representatives or assigns, to cross said real estate owned by first party by giving said second party, her heirs, representatives or assigns, a sixty (60) day notice in writing, said notice to be served by ordinary mail addressed to second party, her heirs or assigns, at their last known address. The affidavit of the first party, his heirs, representatives or assigns, as to the mailing of said notice shall be conclusive as to the giving of said notice.

It is understood that the right herein granted to the second party is permissive only and is not intended to vest second party, her heirs or assigns, with any right, title or interest in and to any of the real estate now owned by first party, and upon giving the sixty (60) day notice aforesaid, any right of second party, her heirs, representatives or assigns, shall terminate and absolutely cease.

Alfred H. Koch First Party
Mrs. Ida Cutshall Second Party

STATE OF IOWA COUNTY OF MADISON) ss

On this 23rd day of June, A. D. 1953, before me Wanda Finney a Notary Public in and for the County of Madison, State of Iowa, personally appeared Alfred H. Koch to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

(Notarial Seal)

Wanda Finney Notary Public
in and for Madison County, State of Iowa.

STATE OF IOWA COUNTY OF Dallas) ss

On this 18th day of June, A. D. 1953, before me Bonnie E. Feldman a Notary Public in and for the County of Dallas, State of Iowa, personally appeared Ida Cutshall to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

NOTARIAL SEAL

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

Bonnie E. Feldman Notary Public
in and for Dallas County, State of Iowa.

John Cowl Stewart
To
The Public

#4164
Fee $1.00 VGM

Filed for record the 26 day of June A. D. 1953 at 9:33 o'clock A. M.
Wilma M. Wade, Recorder

AFFIDAVIT

STATE OF IOWA DECATUR COUNTY) SS

I, JOHN COWL STEWART of said County and State, being first duly sworn, on oath depose and say that I am the grantee named in a warranty deed in which Nellie L. Stewart conveyed to me the West Forty (40) feet of Lot Two (2) in Block Eight (8) of the Original Town of Winterset, Madison County, Iowa, said deed having been dated September 5, 1951, recorded September 11, 1951, and found of record in Deed Record Book 32 at Page 531 of the records of the Office of the County Recorder of Madison County, Iowa; that in said deed the consideration shown for the conveyance of said real estate was One Dollar and other valuable consideration; that in truth and in fact I have paid or advanced to the grantor named in said deed, Nellie L. Stewart, sums totaling in excess of Six Thousand ($6,000) Dollars, and

that said amounts are the consideration for the conveyance of said property to me as shown by said deed; that the conveyance of said property was not in fact a gift nor in any way subject to gift tax, for the reason that a full, reasonable and adequate consideration was paid for said property to said Nellie L. Stewart.

FURTHER I SAYETH NOT. John Cowl Stewart

Subscribed in my presence and sworn to before me by the said JOHN COWL STEWART this 11 day of May A. D. 1953.

NOTARIAL SEAL

Oda G. McKern Notary Public
in and for said County

Hugh K. Smith et al
To
The Public

#4165
Fee $ 1.00
VGH

Filed for record the 26 day of June A. D. 1953 at 9:36 o'clock A. M.
Wilma M. Wade, Recorder

AFFIDAVIT

STATE OF COLORADO COUNTY OF DENVER) SS

I, Hugh K. Smith, and I, Maxine E. Smith, being first duly sworn, on oath depose and say (each speaking for himself only) that I am a resident of the City of Aurora, County of Adams, State of Colorado; that I was well and personally acquainted with Helen Lucy Elwell Mayfield during her lifetime; that prior to her death she was living in the City of Denver, State of Colorado; that on July 23, 1948, she died at Presbyterian Hospital in Denver, Colorado; that at the time of her death she left four children surviving her, to-wit: Joseph O. Elwell, John H. Elwell, Helen E. Elwell Slingerland and Margaret Ann Elwell Cox; that she left no deceased child nor children, nor any child or children of a deceased child, and that neither did she leave surviving her any children by adoption; that her son, John H. Elwell, who is also known as John Elwell, is at the present time living in the City of Aurora, Colorado.

Hugh K. Smith
Maxine E. Smith

Subscribed in my presence and sworn to before me by the above named affiants this 16 day of May A. D. 1953.

NOTARIAL SEAL

Ernest R. Nelson Notary Public
in and for said County
My Commission expires September 8, 1956.

Hettie G. Blake
To
The Public

#4273
Fee $ 1.20
VGH

Filed for record the 2 day of July A. D. 1953 at 11:33 o'clock A. M.
Wilma M. Wade, Recorder

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF IOWA: Polk COUNTY: SS

I, Hettie G. Blake, being first duly sworn on oath depose and state that I am the owner of the record title and in possession of the following described real estate, to-wit:

> The West 42 Acres of the Northwest Fractional Quarter (¼) of the Northwest Quarter (¼) of Section Thirty-one (31), in Township Seventy-six (76) North, Range Twenty-seven(27) West of the 5th P. M., Madison County, Iowa, except the following described tract used for highway purposes, to-wit: - Commencing at the Northwest corner of said Section and running thence South, 89° 14' East, 1385.8 feet, thence South, 0° 46' West, 65 feet, thence North, 89° 14' West, 582 feet, thence in a Southwesterly direction 1268.7 feet along a 905 foot radius curve concave Southeasterly and with a central angle of 80° 19', thence South 340.2 feet, thence West 50 feet, thence North 1307.7 feet to the point of beginning and containing 7.4 acres more or less,

subject only to a certain contract for the sale and purchase of that portion of said real estate with C. Orval Clark, said contract being recorded in the office of the county recorder of Madison County on the 15th day of April, 1953, in Book 86 at page 280.

I further depose and state that myself and my grantors, both immediate and remote, have under color of title and claim of right been at all times since the original entry of said real estate in continuous, open, visible, active, notorious, exclusive and unbroken possession of said real estate adverse to the claims of all persons whomsoever, and have paid all the taxes and made the improvements thereon.

I further depose and state that the "Meyer Lease" referred to in the pleadings and

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 July 2 1953

Wilma M. Wade Recorder