firm, or corporation has, throughout said period of time, made or asserted, or attempted to make or assert, any claim of right, title or interest in or to said real estate or any part thereof adverse to the said Della Lavalleur or her said grantors.

That I am in no way interested and make this affidavit in support of the title of Della Lavalleur in and to the real estate last herein described as provided by Sec. 614.17 of the 1954 Code of Iowa.

E. W. Cummins

Subscribed in my presence and sworn to before me by the said E. W. Cummins, affiant, this 26 day of August, A. D. 1954.

NOTARIAL SEAL

H. C. Fosher Notary Public
in and for Madison County, Iowa.

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Virgil E. Smith
To
The Public

#4495

Fee $ 1.20

AFFIDAVIT VGH

Filed for record the 27 day of August A. D. 1954 at 10:30 o'clock A. M.
Wilma M. Wade, Recorder
Mary E. Welty, Deputy

State of Iowa, Madison County, ss.

I, Virgil E. Smith, a resident of said state and county, being sworn, depose and say as follows:

That on and subsequent to June 30, 1942, I operated the filling and service station located on the real estate which is more particularly described in the Lease and Option to Cities Service Oil Company, executed by Ed Lavalleur, Lucinda Lavalleur and Della Lavalleur, which is of record at page 392 of Chattel Mortgage Record 55, in the office of the County Recorder of Madison County, Iowa.

That on or about March 1, 1943, I acquired from said Cities Service Oil Company, all its right, title and interest in and to said Option, and as assignee of said Cities Service Oil Company, I exercised the option to purchase provided for in said lease, receiving from the said Ed Lavalleur and wife, Lucinda Lavalleur, and Della Lavalleur, single, a deed for real estate described as commencing at the Northeast corner of Lot 1, in Block 31, Original Town Plat of the City of Winterset, Madison County, Iowa, thence West along the North property line 66 feet, to the West side of Lot 1, thence South along the West side of Lot 1, 73 feet, thence East 44 feet, thence South 12 feet, thence East 22 feet to the East line of Lot 1, thence North along the East line of Lot 1, 85 feet to the place of beginning, which was dated July 1, 1946, was filed for record on Aug. 1, 1946, and is of record at page 501 of Deed Record 31, in the office of said County Recorder, and a grant of right of way over and across real estate described as commencing at a point 73 feet South and 34 feet East of the Northwest corner of Lot 1, in Block 31, of the Original Town of Winterset, Iowa, thence Southeast on a straight line to the Southeast corner of said Lot 1, thence North on the East line thereof 47 feet, thence West 22 feet, thence North 12 feet, thence West 10 feet to the place of beginning, which was dated July 1, 1946, was filed for record on Aug. 1, 1946, and is of record at page 539 of Deed Record 30, in the office of said County Recorder.

That said deed and grant of right of way were received and accepted by me as a compliance in full by the said Ed Lavalleur, Lucinda Lavalleur and Della Lavalleur of the option to purchase by them given first herein referred to.

Virgil E. Smith

Subscribed in my presence and sworn to before me by the said Virgil E. Smith, affiant, this 27 day of August, A. D. 1954.

NOTARIAL SEAL

H. C. Fosher Notary Public
in and for Madison County, Iowa.