

County and state, on this 23rd day of May, 1923, personally appeared M.A. Earns and H. A. Earns, her husband, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal the day and year last above written.

(SEAL) H. J. Chapin, Notary Public.

My commission expires May 22, 1926.

Filed for record in Tulsa County, Okla. on June 7, 1923, at 2:45 P.M. and duly recorded in book 455, page 268, By Brady Brown, Deputy;

(SEAL) O.G. Weaver, County Clerk.

232675 - BH

AFFIDAVIT.

State of Oklahoma)
County of Tulsa) SS C. A. Phillips, of Redfork, Oklahoma, of lawful age, being first duly sworn, deposes and says: That he is the same C. A. Phillips, who with Alvey Smith were the grantees in a certain warranty deed, executed to them by B. L. Hardesty and Emma Lee Hardesty, his wife, on November 27, 1920 conveying the:

Northwest quarter of the northwest quarter of
section twenty six (26) township eighteen (18)
north, range twelve (12) east,

which deed was filed on Dec. 2, 1920, and recorded in the office of the County Clerk of Tulsa County, in book 352, at page 71;

That he is the same C. A. Phillips, who with Alvey Smith executed to B. L. Hardesty, on November 27, 1920, a mortgage covering the above described land, which mortgage was filed on November 29, 1920, and recorded in book 353, at page 347 of the records of the County Clerk of Tulsa County, Oklahoma, that he is the same C. A. Phillips, to whom, together with Alvey Smith, was executed by B. L. Hardesty, the release of the above described mortgage, which release was filed in the office of the County Clerk of Tulsa County, Oklahoma, on January 12, 1922, and recorded in book 386, at page 543.

That he is the same C. A. Phillips, who on February 21, 1921 executed the quit claim deed to an undivided one-half interest in and to the northwest quarter of the northwest quarter of section twenty six (26) township eighteen (18) north, range twelve (12) east, to Alva Smith, which quit claim deed was filed on September 14, 1921, and recorded in book 110, page 276 of the records of the County Clerk of Tulsa County; that he is personally and well acquainted with Alvey Smith, who is also known as Alva Smith, and that she is one and the same person, and that he knows of his own knowledge that Alva Smith, to whom he executed the aforesaid quit claim deed is the same person, who under the name of Alvey Smith, executed on January 4, 1922, a warranty deed to W. E. Hardesty, covering the:

Northwest quarter of the northwest quarter
of section twenty six (26) township eighteen
(18) north, range twelve (12), east,

which warranty deed was filed on January 12, 1922, and recorded in book 373 at page 580, of the records of the County Clerk of Tulsa County, Oklahoma.

Further affiant saith not.

C. A. Phillips,

COMPARED *June 12-54*