

Miscellaneous Record, No. 20, Madison County, Iowa.

Clerk of D.C. Polk Co)
to
The Public) Certificate.

Filed for record the 12 day of October A.D. 1921
at 9.10 o'clock A.M.

Nettie E. Winskip, Recorder
Winifred Whedon Deputy
Fee \$.70 # 1833.

State of Iowa Polk County SS: I, A.E. Mahan, Clerk of the District Court of the State of Iowa, in and for Polk County, do hereby certify that James Leonard Callanan, James A. McKinney and J.G. Rounds, were the duly appointed, qualified and acting executors of the estate of James Callanan, deceased, on the 12th day of March, 1918, as shown by the records of my said office.

I further certify the following is a full, true, and correct copy of paragraph Second, of the last will and testament of said James Callanan, deceased, said will being admitted to probate in said District Court on the 9th day of November, 1904, to-wit:

"Second. All my personal and real estate that I may own at my death, I give and devise to my executors hereinafter named, or such of them as shall qualify under this will, upon the trust and condition that they shall sell, convey and dispose of same as soon as they can conveniently obtain, in their judgment, a fair price for the same, from time to time, either in cash or on time, or partly both, but to sell it all if they can without much sacrifice, in their opinion, within three (3) years after my death, and for that purpose I authorize and empower them to execute contracts and deeds and conveyances therefor, and to take security if deeds are made, for the unpaid purchase money. I prefer they would not sell, but divide among my brother and sister, nephew and nieces, my household goods, furniture, library, bedding, apparel, bric-a-brac; etc., And I direct my executors to divide and dispose of the proceeds of my other personal and real estate; and to convey such real estate, if any real estate be left unsold, together with the personal property I may leave at my decease that may be unsold, and not divided, either in money, bonds, stock securities, or claims of every kind, to and among any part of the various persons, corporations and institutions hereinafter named, and in the proportion hereinafter named."

I further certify the following to be a full, true correct and complete copy of a portion of paragraph Forty-Ninth, of said last will and testament, to-wit:

"Forty-Ninth. I do hereby constitute and appoint Henry M. Rollins, C.A. Dudley, of Des Moines, Iowa, and my nephews, James Lincoln Callanan, now of Durango Mexico, and James Leonard Callanan, of Des Moines, Iowa executors of this my last will and testament, hereby revoking all former wills by me made. And I hereby authorize and empower my said executors to do and perform whatever may be necessary to carry into effect the provisions of this will and testament according to the true intent and meaning thereof, and if any question of construction or meaning shall arise under this will, or any question of right, or of dispute shall arise as to how much any one is entitled to, I direct that the decision of a majority of my said executors on any such point shall be final. And I further will and direct that if only a portion of the persons named as executors shall be living, or shall qualify as such executors, that such portion (Provided it is at least three), shall have full power and authority to act as my executors, and, in case any question shall arise upon which my said executors shall differ, that the act and decisions of a majority of them shall be,

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adjudged and taken to be the act and decision of my executors,.....

All as shown by the records of my said office, in the matter of the estate of James Callanan, deceased.

In Witness Whereof I have hereunto set my hand and affixed the seal of said District Court, at my office in the city of Des. Moines, Polk County, Iowa, this 10th day of October, 1921.

(District Court Seal)

A.E. Mahan,
Clerk District Court.

FILED IN THE DISTRICT COURT OF MADISON COUNTY, IOWA, AT DES MOINES, IOWA, ON OCTOBER 10, 1921, AT 11:40 A.M.