

## Mortgage Record, No. 78, Madison County, Iowa

FIDLAR &amp; CHAMBERS CO., DAVENPORT, IOWA

Frank E. Smith, Executor : Release #431 Filed for record the 23rd day of  
 To : February, A. D., 1927, at 4:20 P. M.  
 Everett L. Binns : Fee \$.60 Gladys B. DeVault,  
 Recorder.

## KNOW ALL MEN BY THESE PRESENTS:

That Frank E. Smith, Executor of the Estate of Benjamin Binns, Deceased, of the County of Mahaska and State of Iowa for and in consideration of Ten Thousand Dollars to me in hand paid, and for other good and valuable consideration, the receipt whereof is hereby confessed, do hereby Convey, Release, and Quit Claim unto Everett L. Binns and wife, Sisie M. Binns of the County of Madison and State of Iowa, all the right, title, interest, claim or demand whatsoever I may have acquired in, through or by a certain indenture Mortgage Deed, bearing date the 17th day of February, A. D., 1920, and recorded in the Recorder's office of Madison County, and State of Iowa, in Book 69 of Mortgages, Page 156, to the premises therein described, to-wit:

The Southeast quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ) and the North East quarter ( $\frac{1}{4}$ ) of the South East quarter ( $\frac{1}{4}$ ) and all that part of the South East quarter ( $\frac{1}{4}$ ) of the South East quarter ( $\frac{1}{4}$ ) lying North and East of Middle Rivver described as follows: Commencing at the North East corner of said South East quarter ( $\frac{1}{4}$ ) of the South East quarter ( $\frac{1}{4}$ ), and running thence West to the North West corner thereof, thence South 5 chains and 50 links, thence South 74 $\frac{1}{2}$  degrees, East 7 chains, thence South 34 degrees, East 7 chains and 50 links, thence South 69 degrees, East 9 chains and 66 links, to the East line of said South East quarter ( $\frac{1}{4}$ ) of the South East quarter ( $\frac{1}{4}$ ) thence North to the place of beginning; all of said land lying and being in Section Nine (9) in Township Seventy-five (75) North of Range Twenty-nine (29) West of the 5th P. M. This mortgage given to secure the deferred payment of part of the purchase

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price of the above described land, and which said mortgage was made to secure one certain promissory note bearing even date with said Deed, for the sum of Ten Thousand Dollars and \_\_\_\_\_ cents.

WITNESS my hand and Seal this 15<sup>th</sup> day of Feby., 1927.

Frank E. Smith, Executor of the Estate of Benjamin Binns, Deceased.

STATE OF IOWA, Mahaska County, ss:

On the 15<sup>th</sup> day of February, A. D., 1927, before me the undersigned Clerk of the District Court in and for said County, personally appeared the above named Frank E. Smith, Executor of the Estate of Benjamin Binns, deceased, personally known to me to be the identical person who executed and whose name is affixed to the foregoing Instrument as grantor and acknowledged the execution of the same to be his voluntary act and deed, and his voluntary act and deed as such Executor for the purpose therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand.

*District Court Seal*

W. O. Martin, Clerk of Dist. Court in and for said County.

Court Certificate of Administration, State of Iowa, Mahaska County, ss. I, W. F. Martin, Clerk of the District Court of Iowa, in and for Mahaska County do certify that Frank E. Smith, was duly appointed Executor of the estate of Benjamin Binns on the 15<sup>th</sup> day of Jan'y. 1926; that said appointee has given good and sufficient bond for the faithful performance of the trust in the penal sum of Twenty Five Thousand 00 Dollars as appears on record in the office of the said Court and that said appointment and bond are now in full force and effect. In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court this 21<sup>st</sup> day of Feby. 1927.

*District Court Seal*  
W. O. Martin, Clerk of the District Court.