

Book 74

SHERIFF'S DEED RECORD

J. H. WELCH, PRtg. CO., DES MOINES - 7076

A. E. Null

SHERIFF OF MADISON COUNTY, IOWA

TO

W. J. Guher

Filed for Record the 13 day of July A. D. 1938

at 10:45 o'clock a.m.

Sheriff's Deed.

#3427

Walden C. Bishop Jardon

Recorder.

✓ Pearl E. Shetterly

Deputy.

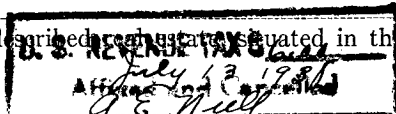
Recording Fee, \$.90

This Indenture, Made the 13th day of July, 1938, by and between A. E. Null Sheriff of Madison County, Iowa, of the first part, and W. J. Guher of the County of Madison in the State of Iowa, of the second part, witnesseth:

THAT, WHEREAS, By virtue of a Special execution directed to A. E. Null the then acting Sheriff of Madison County, Iowa, dated the 8th day of June A. D. 1937, and issued out of the Clerk's office of the District Court of the State of Iowa, in and for Madison County, under the seal of said Court, upon a judgment rendered in said District Court, on the 5th day of June A. D. 1937, in favor of Bertha W. Guher, et al., Plaintiffs in Cause No. 16582 Equity of said Court and against Ella Roby for the sum of Six Thousand Four Hundred Eighty-six & 58/100 DOLLARS (\$6,486.58) debt, costs, interest and accruing costs, the said A. E. Null Sheriff, as aforesaid, did, on the 8th day of June A. D. 1937, levy on the real estate hereinafter described, as the property of said Ella Roby defendant, to satisfy the said execution, and whereas, the said A. E. Null Sheriff as aforesaid, gave four weeks' notice of the time and place of selling real estate under said execution, by posting up printed notices thereof at three public places in said Madison County, one of which was at the Court House in Winterset, where the last District Court was held, and by causing two publications of said notice to be made in the Winterset Madisonian a newspaper published and printed at Winterset, said County, before the day of sale.

AND WHEREAS, The said A. E. Null as Sheriff aforesaid, in pursuance of the notice of sale aforesaid in conformity to law and by virtue of said execution, did, on the 12th day of July A. D. 1937, at the front door of the Court House, in Winterset, Iowa, expose and offer for sale at public auction the real estate hereinafter described, and did then and there sell the same at public auction to Bertha W. Guher, et al., Plaintiffs in said Cause, for the sum of Five Thousand Eight Hundred & 00/100 DOLLARS (\$5,800.00) he being the highest and best bidder therefor. Whereupon the said Sheriff, after receiving the said sum of money from the said purchaser, made and delivered to him a certificate of sale as directed by law; and whereas, the time allowed by law for redeeming said real estate having expired without any redemption thereof having been made: That W. J. Guher, one of said Plaintiffs, has acquired, by assignment, the rights of each of the other Plaintiffs

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That in consideration of the premises and of the said sum of Five Thousand Eight Hundred & 00/100 DOLLARS (\$5,800.00) so bid and paid as aforesaid, the receipt whereof is hereby acknowledged, I, the said A. E. Null Sheriff as aforesaid, party of the first part, do hereby sell and convey unto the said W. J. Guher, party of the second part, heirs and assigns forever, the following described real estate situated in the County of Madison and State of Iowa, (being the same real estate hereinbefore referred to, to-wit):



The West Eighty-nine & 39/100 acres of the South one Fourth of Section Twenty-three (23) and the West Three-fourths of the north Half of Section Twenty-six (26) except the right of way of Railroad, and that part of north west quarter of the Northwest Quarter West of Railroad; also the West Sixty-six and one-half (66 1/2) acres of the north Half of the South West quarter of Section Twenty-six (26); all in Township Seventy-four North of Range Twenty-six (26); west of the 5th P. M., subject to a mortgage on part of said land for \$7,000.00 to Mutual Benefit Life Insurance Company.

Said sale recorded in Sale Book 2 Page 101 Case No. 16582 Docket No. 8513 Page No. 153

TO HAVE AND TO HOLD the said real estate, with all the appurtenances thereto belonging to the said W. J. Guher his heirs and assigns forever, as fully and absolutely as the said party of the first part, by virtue of the premises, might and could sell and convey the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his seal this 13th day of July A. D. 1938

A. E. Null

Sheriff of Madison County, Iowa.

By Deputy.

STATE OF IOWA, MADISON COUNTY, ss.

BE IT REMEMBERED, That on this 13 day of July A. D. 1938, before me P. E. Rose Clerk of the District Court, in and for Madison County, Iowa, personally appeared A. E. Null

Sheriff of Madison County, Iowa, to me personally known to be the identical person whose name is subscribed to the foregoing deed as such Sheriff, and who is to me personally known to be the

Sheriff of the County of Madison and State of Iowa, and acknowledged the execution thereof to be the act and deed of the Sheriff aforesaid by him voluntarily done and executed for the purposes therein mentioned.

WITNESS my hand and seal the day and year last above written.

P. E. Rose

Clerk of the District Court, in and for Madison County, Iowa.

