

Nic LeGrand, Clerk, District Court
of Scott County.

To

The Public

#3429

Fee \$1.20 ✓

Filed for record the 13 day of
July A.D. 1938 at 11:25 o'clock
A.M.
Valda C. Bishop Farver, Recorder
Pearl E. Shetterly, Deputy

CERTIFIED COPY OF APPLICATION AND ORDER

IN THE DISTRICT COURT OF THE STATE OF IOWA IN AND FOR SCOTT COUNTY

D.W. BATES, Superintendent of Banking of the
State of Iowa,

Plaintiff

vs.

AMERICAN SAVINGS BANK AND TRUST COMPANY,
DAVENPORT, IOWA,

Defendant.

FILED Jul 9 1938
Nic LeGrand Clerk of District Court
Scott County, Iowa

No. 28268

L.A. ANDREW, Superintendent of banking
of the State of Iowa,

Plaintiff

vs.

AMERICAN TRUST COMPANY, DAVENPORT,
IOWA:

Defendant.

No. 29218

APPLICATION FOR AUTHORITY TO ASSIGN MORTGAGE OF HARRY THOMAS AND STELLA THOMAS

Comes, now, D.W. Bates, Superintendent of Banking of the State of Iowa, as Receiver of

Miscellaneous Record, No. 22, Madison County, Iowa

American Savings Bank and Trust Company of Davenport, Iowa, and as Receiver of American Trust Company of Davenport, Iowa, and states to the Court:

On or about February 19, 1920, Harry Thomas and Stella Thomas, his wife, executed and delivered to American Commercial and Savings Bank of Davenport, Iowa, their certain note in the principal sum of Nine Thousand Dollars (\$9,000) secured by a mortgage upon the West half of the Northeast Quarter of Section Twenty-eight, Township Seventy-six, North Range Twenty-nine, West of the 5th p.m. situated in Madison County, Iowa. Said mortgage appears of record in Book 71 of Mortgages at Page 51 in the office of the Recorder of Madison County, Iowa.

American Commercial and Savings Bank of Davenport, Iowa, is one and the same bank corporation as American Savings Bank and Trust Company of Davenport, Iowa, hereinabove referred to. American Commercial and Savings Bank of Davenport, Iowa, changed its corporate name to American Savings Bank and Trust Company of Davenport, Iowa, prior to receivership.

Thereafter American Savings Bank and Trust Company of Davenport, Iowa, transferred and assigned the note and mortgage above referred to, to American Trust Company of Davenport, Iowa, all for the account of Margaret Best Lowry. Said American Trust Company was at said time managing the investments for the said Margaret Best Lowry.

Thereafter the Receiver of American Trust Company of Davenport, Iowa, transferred and assigned the note and mortgage above referred to, to Margaret Best Lowry.

Neither of the foregoing mortgage assignments was recorded, and were in some manner misplaced or lost.

Request has been made by Margaret Best Lowry of these applicants, that the aforesaid note and mortgage be transferred and assigned to her, and these applicants are of the opinion that they should comply with that request in order to perfect title to said mortgage in the said Margaret Best Lowry.

WHEREFORE D.W. Bates, Receiver of American Savings Bank and Trust Company of Davenport, Iowa, prays that he be authorized and directed to transfer and assign to D.W. Bates, Receiver of American Trust Company of Davenport, Iowa, the note and mortgage above referred to, and D.W. Bates, Receiver of American Trust Company of Davenport, Iowa, prays that he be authorized and directed to transfer and assign the note and mortgage above referred to, to Margaret Best Lowry.

D.W. Bates, Superintendent of Banking of the State of Iowa, as Receiver of American Savings Bank and Trust Company of Davenport, Iowa,

By G.D. Thompson Examiner in Charge
D.W. Bates, Receiver of American Trust Company of Davenport, Iowa,

By G.D. Thompson, Examiner in Charge

STATE OF IOWA

SS:

SCOTT COUNTY

I, G.D. Thompson, being first duly sworn, on oath depose and say

that I am Examiner in Charge for D.W. Bates, Superintendent of Banking of the State of Iowa, as and Receiver of American Trust Company of Davenport, Iowa; Receiver of American Savings Bank and Trust Company of Davenport, Iowa; that I have read the foregoing application, know the contents thereof, and that the statements therein contained are true as I verily believe.

G.D. Thompson

Subscribed and sworn to before me by the said G.D. Thompson this 8th day of July, A.D. 1938.

James J. Lamb.

(Notarial Seal)

Notary Public in and for Scott County, Iowa.

ORDER ON APPLICATION FOR AUTHORITY TO ASSIGN MORTGAGE OF HARRY THOMAS AND STELLA THOMAS
Now, on this 9th day of July, A.D. 1938, there is presented to the Court the application of D.W. Bates, Superintendent of Banking of the State of Iowa, as Receiver of American Savings Bank and Trust Company of Davenport, Iowa, and as Receiver of American Trust Company of Davenport, Iowa, for authority to transfer and assign Harry and Stella Thomas mortgage, and the Court having considered the said application and being fully advised in the premises finds that the prayer contained in said application should be granted. IT IS, THEREFORE, ORDERED that

Miscellaneous Record, No. 22, Madison County, Iowa

D.W.Bates, Superintendent of Banking of the State of Iowa, as Receiver of American Savings Bank and Trust Company of Davenport, Iowa, is hereby authorized and directed to transfer and assign to D.W.Bates, Receiver of American Trust Company of Davenport, Iowa, the certain note and mortgage of Harry Thomas and Stella Thomas, his wife, which said mortgage appears of record in Book 71 of Mortgages at Page 51 in the office of the Recorder of Madison County, Iowa,

IT IS FURTHER ORDERED that D.W.Bates, Receiver of American Trust Company of Davenport, Iowa, is hereby authorized and directed to transfer and assign the aforesaid note and mortgage to Margaret Best Lowry. All of which is finally ORDERED, ADJUDGED, and DECREED.

W.R.Maines Judge.

IN THE DISTRICT COURT OF THE STATE OF IOWA WITHIN AND FOR SCOTT COUNTY
STATE OF IOWA, Scott County, ss. I, NIC LeGRAND, Clerk of the District Court of the State of Iowa, in and for said County, do hereby certify that the above and foregoing is a true and perfect transcript of the Record Entry of Application for authority to assign mortgage of Harry Thomas and Stella Thomas and Order thereon, in the Matter of D.W.Bates, Superintendent of Banking of the State of Iowa, Plaintiff vs. American Savings Bank and Trust Company, Davenport, Iowa, Defendant, being District Court Cause No. 28268 and in the Matter of L.A. Andrew, Superintendent of Banking of the State of Iowa, Plaintiff, vs. American Trust Company, Davenport, Iowa, Defendant, being in District Court Cause No. 28218, as fully as the same remains of record or on file in my office. I further certify that D.W.Bates, Superintendent of Banking of the State of Iowa, is the duly appointed and qualified Receiver of American Savings Bank and Trust Company and the American Trust Company and is still acting as such Receiver.

And I further certify that the records of said Court are now in my custody and under my control, and that I am the proper officer to make this certificate.

IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed the seal of said Court, at the Court House in Davenport, in said County, this 9th day of July, A.D. 1938

(District Court Seal)

COMPALED

Nic LeGrand
Clerk of District Court.
By Olive Katelsen Deputy