

Madison County, Iowa

L.L.Blomgren, Sole Referee
 To
 Lyle S. Smith & Mary O. Smith

#4444
 Fee \$. 90 ✓

REFEREE'S DEED
 (In Partition)

Filed for record the 8 day of
 August, A.D.1941 at 9:30 o'clock
 A.M.
 Pearl E. Shetterly, Recorder

THIS INDENTURE, Made this 10th day of November A.D.1937, between L.L.Blomgren, Sole Referee, of the first part, and LYLE S. SMITH and MARY O. SMITH, of the second part,

WITNESSETH, That, whereas, in an action of partition in the District Court of the State of Iowa, in and for Madison County, wherein Hans C. Hansen was plaintiff and Telle Henricksson, also known as Telle Henreckson, also known as Matilda Henricksson, Nee Olsson; Karl Johan Henricksson; A.C.R.Swenson, Swedish Vice Consul at Omaha, Nebraska; L.L.Blomgren, Executor of the Last Will and Testament of Mary Tarbell, deceased; and Hans C. Hansen, Administrator of the estate of Clara Hansen, also known as Clara Hanson, deceased, were defendants, the said party of the first part was on the 8th day of October, 1937, duly appointed by said Court as Sole Referee to make partition of the following described real estate, to-wit:

Lots Seven (7), Eight (8) and Nine (9) of Lindsey's Addition to Winterset,
 Madison County, Iowa;

and it appearing to the Court that the said property could not be equitably divided into the requisite number of shares, the Court caused an order to be entered directing said Referee to sell said premises on the following terms, to-wit: at either public or private sale and if at private sale to be sold at not less than the appraised value, appointing H.G.Tilton, J.F.Wilcox and Harvey Paul for the purpose of appraising said property.

AND, WHEREAS, in pursuance of such order the Clerk of the District Court of Madison County, Iowa, issued an appraisement to the said H.G.Tilton, J.F.Wilcox and James H. Silliman for the purpose of appraising said property.

AND, WHEREAS, in pursuance of said appraisement the said appraisers did appraise said property and return their appraisement thereon showing an appraisement of same in the amount

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J. H. WELCH PRtg. CO., DES MOINES 7898

of \$1400.00.

AND, WHEREAS, the said Sole Referee, in pursuance of said order, and after the return of the appraisement^{ts} sold said property at private sale to Lyle S. Smith and Mary O. Smith for the sum of \$1450.00, \$480 thereof being paid upon the execution of the contract of sale and the balance of \$970.00 being payable on December 1, 1937, it being the highest and best bid he could receive therefor.

AND, WHEREAS, on the 10th day of November, 1937, the said Court approved and confirmed said sale, and by order directed the said party of ~~the said party of~~ the first part to execute to the said party of the second part a conveyance in due form of law for the said parcel of land so sold to him as aforesaid upon the payment of the balance of the purchase price of said property.

AND, WHEREAS, the said Lyle S. Smith and Mary O. Smith, parties of the second part, have paid to party of the first part the balance remaining due and unpaid on said contract and having now received payment in full of the purchase price of said property.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That in consideration of the premises and of the said sum or \$1,450 so offered and paid by the parties of the second part, in conformity with the law and in obedience to the orders of said Court, I, L. L. Blomgren, Sole Referee, party of the first part, do by these presence grant, sell and convey unto the said Lyle S. Smith and Mary O. Smith, parties of the second part, and to their heirs, and assigns, the said parcel of real estate described as follows, to-wit:

Lots Seven (7), Eight (8) and Nine (9) in Lindsey's Addition to Winterset, Madison County, Iowa;

lying and being situated in the County of Madison and State of Iowa. To have and to hold the same to the party of the second part as fully and absolutely as the said party of the first part, by virtue of the premises, might and could sell the same.

IN WITNESS WHEREOF, I have hereunto set my hand the date first above written.

STATE OF IOWA MADISON COUNTY)SS. L. L. Blomgren
U. S. REVENUE TAX \$ 1.50
4/26/39
Affixed and Cancelled L. L. Blomgren Sole Referee.

BE IT REMEMBERED, That on the 10th day of November A.D. 1937, before the undersigned, a Notary Public in and for said County, personally came L. L. Blomgren, to me personally known to be the identical person whose name is subscribed to the foregoing Deed as Sole Referee, and acknowledged the execution of the instrument to be his voluntary act and deed, as Sole Referee, for the purposes therein mentioned.

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

(Notarial Seal)

Charles D. Van Werden
Notary Public in and for said County

STATE OF IOWA MADISON COUNTY)SS.

I, P. E. Rose, Clerk of the District Court of said County, do hereby certify that the sale of lands described in the within conveyance to Lyle S. Smith and Mary O. Smith was reported to the District Court aforesaid on the 3rd day of November A.D. 1937, and that on the 10th day of November, 1937, said sale was approved by said Court, by order and decree confirming the same.

WITNESS my hand and the seal of said Court, this 12th day of November A.D. 1937.

(DISTRICT COURT SEAL)

COMPLETED

P. E. Rose Clerk District Court.
Deputy