

Town Lot Deed Record, No. 26

MATT PARROTT & SONS CO., WATERLOO, IOWA B39740

L.A.Pinckney, Executor

#1509

Filed for record the 21 day of
March A.D.1938 at 9:15 o'clock
A.M.

To

Fee \$.70 ✓

Valda C. Bishop Farver, Recorder
Pearl E. Shetterly, Deputy

H.C.Hilbery

EXECUTOR'S DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on the 9th day of October, A.D.1934 L.A.Pinckney as Executor of the Estate of Elma Jane Scott late of the County of Madison within the State of Iowa now deceased, filed his petition in the District Court of Iowa, within and for the County of Madison against Amelia J.Swartz, Mable Swartz Hollopeter, Olive Raymer, Lois Dunn Cook, Perry Scott Miller, Goldie Scott Liles, Ida Bennet Waterman, Methodist Episcopal Church, Bethesda Baptist Church, Christian Home, Jenkins Orphanage, Mont Lawn Orphanage, Elma Miller Shanebarger, heirs-at-law of said decedent, praying for an order of said Court, directing him to make sale of the real estate of said decedent, to-wit:

Lots 112,113,114,115, and 116 in Block 9, and Lots 6,7,8,9,10,11,12, 13,14, 15,16,17, and 108, in Block 11, of Mack's Addition to Macksburg, Iowa; and

a tract of land described as follows: Commencing at the Northeast corner of said Lot 108, in Block 11, running thence East 10 feet, thence South 70 feet, thence West 98 feet, thence North 38 feet, thence West 504 feet, thence North 10 feet, to the Southwest corner of Lot 17 in said Block 11, thence East on the South line of said Block 11 to the Southeast corner thereof, thence North 22 feet to the place of beginning, excepting therefrom a tract commencing at the Northeast corner of said Lot 108, in Block 11, thence West 66 feet, thence South 2.5 feet, thence East 76 feet, thence North 2.5 feet, thence West to the place of beginning; and

a tract of land described as: Commencing at a point 394.5 feet West and 743 feet South of the Northeast corner of Section 16, in Township 74 North, of Range 29 West of the 5th P.M. (being a point 88.5 feet West and 48 feet South of the Southeast corner of said Lot 108, in Block 11), running thence North 38 feet, thence West 8 feet, thence South 38 feet, thence East 8 feet to the place of beginning; and

a tract of land described as follows: Commencing at the Northwest corner of Lot 116, in block 9, of Mack's Addition to Macksburg, Iowa, running thence West 508 feet to a point 66 feet West of the West line of the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) of said Section 16, thence South 285 feet, thence East 508 feet, to the Southwest corner of Lot 17, in Block 11, of said Mack's Addition, thence North 285 feet to the place of beginning, excepting therefrom a tract described as: Commencing at a point 356 feet West of the Southwest corner of said Lot 17, running thence West 152 feet, thence North 4 feet, thence Southeasterly, on a straight line, to the place of beginning.

AND WHEREAS, it appearing to the Court that a sale of said real estate was necessary for the payment of the debts of said decedent's estate, it was by said Court ordered, adjudged and decreed that the said L.A.Pinckney proceed to make sale of said real estate aforesaid, at private sale, at not less than the appraised value thereof; and having sold said premises to H.C.Hilbery for the sum of Seven Hundred and no/100 (\$700.00) Dollars which sum was more than the appraised value thereof; and said sum having been paid by the said H.C.Hilbery.

AND WHEREAS, the said Court afterwards approved and confirmed the sale, ordered the said L.A.Pinckney to make and execute a deed to the said H.C.Hilbery for said permises, according to the statute in such case made and provided:

NOW, THEREFORE, I, L.A. Pinckney as Executor of the estate of Elma Jane Scott, deceased, as aforesaid, in consideration of the sum of Seven Hundred and no/100 (\$700.00) Dollars, to me in hand paid, the receipt whereof is hereby acknowledged, and by virtue of the powers in me vested by law, and by the order of said Court, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said H.C. Hilbery the real estate aforesaid, with all and singular the appurtenances thereunto belonging. TO HAVE AND TO HOLD the same unto the said H.C. Hilbery his heirs and assigns forever.

IN TESTIMONY WHEREOF, I, L.A. Pinckney as such Executor have hereunto set my hand and seal
this 9th day of October A.D. 1934.

L.A.Pinckney
Executor of the estate of Elma Jane Scott, Deceased.

STATE OF IOWA,)
Madison COUNTY,) ss.

Madison COUNTY,) ss. BE IT REMEMBERED, That on the 9th day of October A.D. 1934 before the undersigned, a Notary Public within and for said County, personally appeared L.A. Pinckney of the estate of Elma Jane Scott Deceased, to me personally known to be the identical person whose name is subscribed to the foregoing deed as Grantor and acknowledged the same to be his voluntary act and deed, and that he executed the same for the purposes therein mentioned.

WITNESS my hand and Notarial Seal the day last above written.

(Notarial Seal)

Charles D. Van Werden
Notary Public in and for Madison County, Iowa.

STATE OF IOWA,)
MADISON COUNTY.) ss

In the District Court of said County.

I, C.E.Spurgin Clerk of the District Court in and for said County, do hereby certify that the foregoing deed executed by L.A.Pinckney as stated therein, to H.C.Hilbery having been by the said L.A.Pinckney returned into Court for approval, and it appearing to the Court that the said L.A.Pinckney has complied with all the requirements of the law and of this Court in making such sale and conveyance, it was therefore ordered that the said sale and the foregoing deed of conveyance be and the same were on the day of October 1934 approved by said Court.

WITNESS MY hand, and the seal of said Court hereto affixed, this day of October,
A.D.1934,

(District Court Seal)

C.E.Spurgin Clerk District Court
By Deputy