

Madison County, Iowa

Claude N. Shearer et al, Executors

#3446

Filed for record the 14 day of July
A. D. 1938 at 3:15 o'clock P. M.,

To

Fee \$.70

Valda C. Bishop Farver, Recorder

Charles Hartinger

EXECUTOR'S DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on the 13th day of June A. D. 1938 Claude N. Shearer and Geo. Simmons as executors of the estate of Lyda Carter 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 Ada Kelly, Arnie E. Emerson, Nellie Simmons, Berdie Shearer, Loyal Emerson, Derias Emerson,, Blanche Carlile, Stella Conlee, Eunice Harmon, Ethmer Stanton Carter, Hazel O. Carter Wheeler, Maurine Frances Carter Holt, William Franklin Carter, Donald Dal Carter, Robert Thomas Carter, Marian Elizabeth Carter, W. D. Kale & Sons and Dr. C. B. Harken, claimants and 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:

East 164 feet of Lots 5 and 6 of Stewart's First Addition
to the Town of East Peru, Madison County, Iowa,

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 Claude N. Shearer and Geo. Simmons 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 Charles Hartinger for the sum of Nine Hundred and no/100 DOLLARS, which sum was the appraised value thereof; and said sum having been paid by the said Charles Hartinger,

AND WHEREAS, the said Court afterwards approved and confirmed the sale, ordered the said Claude N. Shearer and Geo. Simmons to make and execute a deed to the said Charles Hartinger for said premises, according to the statute in such case made and provided:

NOW, THEREFORE, I Claude N. Shearer and Geo. Simmons as Executors of the estate of Lyda Carter deceased, as aforesaid, in consideration of the sum of Nine Hundred and no/100 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 Charles Hartinger the real estate aforesaid, with all and singular the appurtenances thereunto belonging. To Have and to Hold the same unto the said Charles Hartinger his heirs and assigns forever.

Town Lot Deed Record, No. 26

MATT PARROTT & SONS CO., WATERLOO, IOWA B39740

In Testimony Whereof, I Claude N. Shearer and Geo. Simmons as such Executors have hereunto set my hand and seal this 13th day of June A. D. 1938

Claude N. Shearer
Geo. Simmons
Executors of the estate of Lyda Carter ,Deceased.

STATE OF IOWA,
MADISON COUNTY,) SS.

Be it Remembered, That on the 13th day of June A. D. 1938, before the undersigned, a Notary Public within and for said County, personally appeared Claude N. Shearer and Geo. Simmons, Executors of the estate of Lyda Carter Deceased, to me personally known to be the identical persons whose names are subscribed to the foregoing deed as Grantors and acknowledged the same to be their voluntary act and deed, and that they executed the same for the purposes therein mentioned.

Witness my hand and Notarial Seal the day last above written.
Charles D. Van Werden
Notary Public in and for Madison County, Iowa.

(NOTARIAL SEAL)

STATE OF IOWA,
MADISON COUNTY,)SS.

In the District Court of said County

I, P. E. Rose Clerk of the District Court in and for said County, do hereby certify that the foregoing deed executed by Claude N. Shearer and Geo. Simmons, executors, as stated therein, to Charles Hartinger having been by the said Claude N. Shearer and Geo. Simmons, returned into Court for approval, and it appearing to the Court that the said Executors 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 13th day of June 1938 approved by said Court.

Witness my hand, and the seal of said Court hereto affixed, this 13th day of June
A. D. 1938

(DISTRICT COURT SEAL) P. E. Rose
Clerk District Court
By -----Deputy