

Madison County, Iowa

Milo C.Hendricks,Sole Referee

#2387

Filed for record the 6 day of
May A.D.1938 at 2;30 o'clock P.M.

To

Fee \$.60

Lloyd Brittain

REFeree's DEEDValda C.Bishop Farver,Recorder
Filed Apr 18 1938 F.E.Rose
Clerk of District Court
.....Deputy Compared

KNOW ALL MEN BY THESE PRESENTS:-

THIS INDENTURE made this 16 day of April A.D.1938, between Milo C.Hendricks,Sole Referee, Party of the First Part, and Lloyd Brittain,Party 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 Milo C.Hendricks,Everett Hendricks,Ollie Hendricks and Mamie Brittain were Plaintiffs, and Minnie Tate, et al., were defendants, the same being cause No. 16708, Equity, in the District Court of the State of Iowa, in and for Madison County,as aforesaid, said Party of the First Part was on the 23rd day of February A.D.1938, duly appointed by said Court as Referee to make partition of the following described real estate, to-wit:-

Lot Eight (8) in Block Three (3) of the Original Town Plat of the City of Winterset, Madison County,Iowa,

and it then and there having been made to appear to the Court that said property cannot be equitably divided into the requisite number of shares, said Court, on the 23rd day of February A.D.1938, caused an Order to be entered, directing said Referee to sell said premises at private sale; and

WHEREAS, on the 12th day of April 1938, said Referee did then and there sell to Lloyd Brittain for the consideration of the sum of Seven Hundred & no/100 (\$700.00) Dollars, the following described real estate situated in Madison County,Iowa, to-wit:-

Lot Eight (8) in Block Three (3) of the Original Town Plat of the City of Winterset, Madison County,Iowa,

the said Lloyd Brittain being the highest and best bidder for said tract of real estate,and the said sum of Seven Hundred & no/100 (\$700.00) Dollars, being the highest and best offer said Referee was able to get for said real estate; and

WHEREAS on the 16th day of April A.D.1938, said Court approved and confirmed said sale and by Order directed said Party of the First Part to execute to the said Lloyd Brittain, Party of the Second Part, a conveyance in due form of law for the said real estate so sold to the said Lloyd Brittain as aforesaid;

NOW THEREFORE, this Indenture Witnesseth, that in consideration of the premises and the said sum of Seven Hundred & no/100 (\$700.00) Dollars, so paid by the said Party of the Second Part in conformity with the law and in obedience to the Orders of said Court, I, Milo C. Hendricks, as Sole Referee, Party of the First Part, do by these presents, grant,sell and convey unto the said Lloyd Brittain, Party of the Second Part hereto,his heirs and assigns forever, the said real estate described as follows, to-wit:-

Lot Eight (8) in Block Three (3) of the Original Town Plat of the City of Winterset, Madison County, Iowa.

TO HAVE AND TO HOLD the same to the Party of the Second Part as fully and absolutely as 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 day first above written.

Milo C.Hendricks, Sole Referee.

Town Lot Deed Record, No. 26

STATE OF IOWA :
 : SS
MADISON COUNTY : BE IT REMEMBERED: That on the 16th day of April 1938, before the undersigned, Dorothy D. Longenecker, a Notary Public within and for the County of Madison and State of Iowa, personally came Milo C. Hendricks 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 said instrument to be his voluntary act and deed as such Sole Referee for the purposes therein mentioned.

WITNESS MY HAND and official seal the day and year last above written.

(Notarial Seal) Dorothy D. Longenecker
NOTARY PUBLIC IN AND FOR MADISON COUNTY, IOWA.

STATE OF IOWA :
 : SS
MADISON COUNTY : The foregoing Deed by said Referee was this day returned into Court for approval, and it appearing to the Court that said Referee had complied with the requirements of the law and the orders and decrees of this Court in making the sale and Deed, it was ordered by the Court that said sale and deed be and the same are hereby approved and confirmed and by direction of said Court said approval is hereby confirmed and endorsed hereon by the undersigned. WITNESS MY HAND and official seal this 18th day of April 1938.

(District Court Seal) P.E. ROSE
CLERK OF DISTRICT COURT IN AND FOR MADISON COUNTY,
IOWA.