

Town Lot Deed Record, No. 26

Ralph B. Hunter, Sole Referee	#2179	Filed for record the 23 day of March
To	Fee \$.80 ✓	A.D. 1939 at 11:05 o'clock A.M.
C. Roy Price		Pearl E. Shetterly, Recorder
		FILED JUL 29 1938
		P. E. Rose Clerk of District Court
		Deputy 16732

REFEERES' DEED (in Partition)

THIS INDENTURE, Made the 29th day of July A.D. 1938 between Ralph B. Hunter Sole Referees, of the first part, and C. Roy Price 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 Charles Price, et al., was plaintiffs and Arlie Price, et al., were defendants, the said party of the first part was, on the 21st, day of February A.D. 1938, duly appointed by said Court as Referees, to make partition of the following described Real Estate, to-wit: Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6) in Block Four(4) of Allen's Addition to the Town of Earlham, Madison County, Iowa, and it appearing to the Court that the said property cannot be equitably divided into the requisite number of shares, the Court on the 21st, day of February A.D. 1938 caused an order to be entered directing said Referee to sell said premises on the following terms, to-wit: for cash

AND WHEREAS, in pursuance of such order, the said Referee caused four weeks' notice of the time and place of said sale to be given, by posting up notices thereof at three public places in Madison County, one of which was at the Court House in Winterset, Iowa where the last District Court was held, and by causing two publications thereof to be made in the Earlham Echo a newspaper printed in said County, immediately before the day of Sale;

AND WHEREAS, the said Referee, in pursuance of said notice and the order of the Court, did, on the 11th, day of April A.D. 1938 at the hour of 10 o'clock in the forenoon, in front of Block Four (4) of Allen's Addition expose and offer for sale at public auction, the aforesaid Real Estate, and did then and there sell subject to the approval of the court the following described parcel of said lands, for the sum of Ten Hundred and Eighty and no/100 (\$1080.00) DOLLARS, he being the highest and best bidder therefor;

AND, WHEREAS, the said C. Roy Price, party of the second part, has paid to the parties of

Madison County, Iowa

the first part the said sum of money so bid, as aforesaid;

AND, WHEREAS, on the 16th day of April A.D. 1938, the said Court approved and confirmed the said sale, and by order directed the said parties 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.

NOW, THEREFORE, THIS INDENTURE WITNESSETH, that in consideration of the premises, and of the said sum of Ten Hundred and Eighty and no/100 \$1080.00 DOLLARS, so bid and paid by the party of the second part, in conformity with the law and in obedience to the orders of said Court, I, Ralph B. Hunter, Sole Referee, party of the first part, do by these presents grant, sell and convey unto the said C. Roy Price party of the second part, and to his heirs and assigns, the said parcel of Real Estate, described as follows, to-wit:

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6) in Block Four(4) of Allen's Addition to the Town of Earlham, 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, we have hereunto set our hands the date first above written.

RALPH B. HUNTER Sole Referee

STATE OF IOWA, Madison County)ss:

BE IT REMEMBERED, That on the 29th day of July A.D. 1938 before the undersigned, P.E. ROSE a Clerk of Court in and for said County, personally came Ralph B. Hunter to me personally known to be the identical person whose names ^{deedas Referee,} ~~are~~ subscribed to the foregoing/instrument to be their voluntary act and deed, as Referees, for the purposes therein mentioned.

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

(District Court Seal

P. E. ROSE
CLERK OF COURT in and for Madison County, Iowa.

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 C. ROY PRICE was reported to the District Court aforesaid on the 29th day of July 1938, ^{and} on the 29th day of July 1938 said sale was approved by said Court, by order and decree confirming the same.

WITNESS my hand and the seal of said Court, this 29th day of July 1938.

(District Court Seal)

P. E. Rose
Clerk District Court
Deputy

COMPLETED