

Madison County, Iowa

Chas E. Tucker, Sole Referee

#5406

Filed for record the 9 day of
September A.D. 1939 at 2:05 o'clock
P.M.

To

Fee \$.70 ✓

Mrs. W.E. Bernau

Pearl E. Shetterly, Recorder

FILED AUG 30 1939 P.E. Rose Clerk of District Court

..... Deputy

16774 ✓

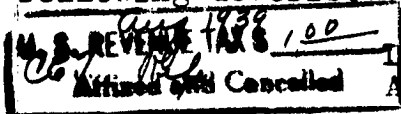
COMPARED

R E F E R E E ' S D E E D

IN THE DISTRICT COURT OF THE STATE OF IOWA IN AND FOR MADISON COUNTY

THIS INDENTURE made this 28th day of July 1939, between Chas. E. Tucker, Sole Referee, Party of the First Part, and Mrs. W. E. Bernau of Madison County, Iowa, Party of the Second Part, WITNESSETH:

THAT WHEREAS, in an action of partition in the District Court of the State of Iowa, within and for Madison County, wherein Hertha Gaekle, at al., were plaintiffs and Merle Gaekle, et al., were defendants, said cause being No. 16774 Equity, the Party of the First Part was on the 8th day of April 1939, duly appointed by said Court as Referee to make partition of the following described real estate, to-wit:-



Lots One (1) and Two (2) in Block Thirteen (13) in T.D. Jones' Addition to 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, the said Court, on the 8th day of April 1939, caused an order to be entered directing said Referee to sell said premises at private sale; and

WHEREAS, on the 5th day of May 1939, said Referee did then and there sell said real estate to Mrs. W. E. Bernau for the sum of Nine Hundred & no/100 (\$900.00) Dollars, she being the highest and best offer said Referee was able to get for said real estate; and

WHEREAS, on the 27th day of July 1939, the said Court approved and confirmed said sale, and by order directed said Party of the First Part to execute to the Party of the Second Part a conveyance in due form of law for said real estate so sold to her as aforesaid.

NOW, THEREFORE, this Indenture witnesseth that in consideration of the premises and the said sum of Nine Hundred & no/100 (\$900.00) Dollars so paid by the said Party of the Second Part, in conformity with the law and in obedience with the orders of said Court, I, Chas. E. Tucker, Party of the First Part, do by these premises, grant, sell and convey unto the said Mrs. W. E. Bernau, Party of the Second Part, and to her heirs and assigns said real estate described as follows, to-wit:-

Lots One (1) and Two (2) in Block Thirteen (13) in T.D. Jones' Addition to 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 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.

Chas E. Tucker
SOLE REFEREE

Town Lot Deed Record, No. 26

MATT PARROTT & SONS CO., WATERLOO, IOWA 50690

STATE OF IOWA : MADISON COUNTY : SS

BE IT REMEMBERED: That on the 28th day of July 1939, before the undersigned Dorothy D. Longenecker, a Notary Public in and for Madison County, State of Iowa, personally came Chas. E. Tucker, to me personally known to be the identical person whose name is subscribed to the foregoing Deed as Sole Referee, and acknowledged the 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 : MADISON COUNTY : SS

The foregoing Deed by the said Chas. E. Tucker, as Sole Referee, was this day returned into Court for approval, and it appearing to the Court that he 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 approved and confirmed, and by direction of said Court said approval is hereby certified and endorsed hereon by the undersigned.

WITNESS my hand and seal this 30th day of August A.D. 1939.

(District Court Seal) P E Rose
Clerk of the District Court in and for Madison
County, Iowa.