

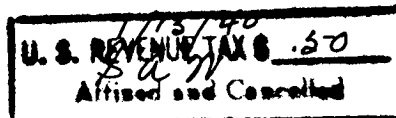
Town Lot Deed Record, No. 26

Charles Tucker, Sole Referee #2382 Fee \$.70
To Clyde Beard REFERENCE'S DEED
Filed for record the 16 day of April
A.D. 1940 at 10:05 o'clock A.M.
Pearl E. Shetterly, Recorder
FILED JAN 13 1940
P. E. Rose Clerk of District Court
Deputy COMPARED

THIS INDENTURE, Made the 13th day of January, A.D. 1940, by and between Charles Tucker, Sole Referee, party of the first part, and Clyde Beard, 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 N. E. Hollen, Trustee, was plaintiff and John Beard, et al, were defendants, the said party of the first part was on the 20th day of November, 1937, duly appointed by said Court as Sole Referee, to make partition of the following described real estate, to-wit:

Lots Three (3) and Four (4) and the West Ten (10) feet of Lot Two (2) in Block One (1) of Railroad Addition to the Town of Winterset, Iowa,



and it appearing to the Court that said property can not be equitably divided into the requisite number of shares, the Court on the 20th day of November, 1937, caused a decree to be entered directing said Referee to sell said premises, either at public auction or at private sale,

AND, WHEREAS, this Referee contracted to sell said real estate at private sale to Clyde Beard for the sum of \$400.00, the same being the appraised value thereof.

AND, WHEREAS, on the 19th day of October, 1939, the said Court approved and confirmed said sale and by Order directed the said party of the first part to execute to the parties 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 sum of \$400.00 paid by Clyde Beard, in conformity and in obedience to the Orders of said Court, I, Charles Tucker, Sole, Referee, party of the first part, do by these presents grant, sell and convey unto the said Clyde Beard the following described real estate, to-wit:

Lots Three (3) and Four (4) and the West Ten (10) Feet of Lot Two (2) in Block One (1) of Railroad Addition to the Town of Winterset, Iowa.

To have and to hold the same to the party of the second part, his heirs and assigns, 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.

Charles Tucker Sole Referee

State of Iowa, Madison County)ss.

BE IT REMEMBERED, That on the 13th day of January, A.D. 1940, before the undersigned, a Notary Public in and for said County, personally came Charles Tucker, to me personally known to be the identical person whose name is subscribed to the foregoing deed as Referee, and acknowledged the execution of the instrument to be his voluntary act and deed, as Referee, for the purposes therein mentioned.

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

Shirley a webster Notary Public
in and for Madison County, Iowa

(Notarial Seal)
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 Clyde Beard was reported to the District Court aforesaid on the 12 day of October, 1939, and on the 17 day of October, 1939, said sale was approved by said Court, by order and decree confirming the same.

WITNESS my hand and the seal of said Court, this 13 day of January, 1940.

(DISTRICT COURT SEAL)

COMPARED

P. E. Rose Clerk of the
District Court