

Deed Record, No. 78, Madison County, Iowa

Agnes J. Hartley, Referee

#3811

Filed for record the 24 day of
June A.D.1941 at 5:00 o'clock
P.M.

To

Fee \$.90 ✓

P.L.Estell

Pearl E. Shetterly, Recorder

REFEREE'S DEED (In Partition)

THIS INDENTURE, Made the 12 day of June A.D.1941 between Agnes J.Hartley Referee of the first part, and P.L.Estell 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 Agnes J.Hartley, et al was plaintiff, and Hartley Murray, et al were defendants, the said party of the first part was on the 15 day of February A.D.1939, duly appointed by said Court as Referee, to make partition of the following described Real Estate, to-wit: North Fractional Half (N fr $\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) and the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Two (2) Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M.

and it appearing to the Court that the said property cannot be equitably divided into the requisite number of shares, the Court on the 5th day of February A.D.1940 caused an order to be entered directing said Referee to sell said premises on the following terms, to-wit:

Twenty (20%) per cent of the purchase price payable on the day said real estate is sold and the balance payable on delivery of a Referee's Deed of Conveyance

Deed Record, No. 78, Madison County, Iowa

ACRES-BLACKMAR CO., BURLINGTON, 23057

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 where the last District Court was held, and by causing two publications thereof to be made in the Winterset, News 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 9th day of October A.D.1940, at the hour of 10 o'clock in the fore noon, at the real estate above described expose and offer for sale at public auction, the aforesaid Real Estate, and did then and there sell at public auction to P.L.Estell the following described parcel of said lands, for the sum of Forty-nine Hundred Thirty and 38/100 (\$4930.38) DOLLARS, he being the highest and best bidder therefor;

AND, WHEREAS, the said P.L.Estell party of the second part, has paid to the party of the first part the said sum of money so bid, as aforesaid;

AND, WHEREAS, on the 16th day of November A.D.1940, the said Court approved and confirmed said sale, and by order directed the said party 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.

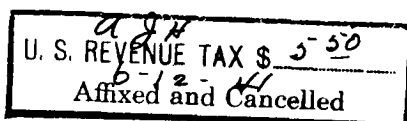
NOW, THEREFORE, THIS INDENTURE WITNESSETH, that in consideration of the premises, and of the said sum of Forty-nine Hundred Thirty and 38/100 (\$4930.38) DOLLARS, so bid and paid by the party of the second part, in conformity with the law and in obedience to the orders of said Court, I Agnes J.Hartley Referee, party of the first part, do by these presents grant, sell and convey unto the said P.L.Estell party of the second part, and to his heirs and assigns, the said parcel of Real Estate, described as follows, to-wit:

North fractional Half (Nfr $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Two (2) Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., 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.

STATE OF IOWA, Madison County,)ss.



Agnes J.Hartley.
Referee

BE IT REMEMBERED, That on the 12th day of June A.D.1941 before the undersigned, Lois Martin a Notary Public in and for said County, personally came Agnes J.Hartley 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 her voluntary act and deed, as Referee, for the purposes therein mentioned.

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

(Notarial Seal)

Lois Martin
Notary Public In and For Madison
County, Iowa

STATE OF IOWA, Madison County,)SS. I, Rex V.Johnson Clerk of the District Court of said County, do hereby certify that the sale of lands described in the within conveyance to P.L. Estell was reported to the District Court aforesaid on the 4th day of November 1940 and on the 16th day of November 1940 said sale was approved by said Court by order and decree confirming the same. WITNESS my hand and the seal of said Court, this 12th day of June 1941

(District Court Seal)

Rex V.Johnson
Clerk District Court.
.....
Deputy

COMPALED