

Deed Record, No. 78, Madison County, Iowa

ACRES-BLACKMAR CO., BURLINGTON, 23057

Charles Tucker, Sole Referee

#4213

Filed for record the 22 day of
July A.D.1941 at 9:30 o'clock
A.M.

To

Fee \$.80 ✓

Ross Rhoads

Pearl E. Shetterly, Recorder

FILED FEB 21 1941 Rex V. Johnson Clerk of
17072 District Court

REFEREE'S DEED

COMPARED

LL- 553

THIS INDENTURE, Made the 20th day of February, A.D.1941 by and between Charles Tucker,
Sole Referee, party of the first part, and Ross Rhoads, party of the second part,

WITNESSETH: That, whereas, in an action of partition ~~in an action of partition~~ in the
District Court of the State of Iowa, in and for Madison County, wherein Ross Rhoads was
plaintiff and Fred Rhoads, et al, were defendants, the said party of the first part was on
the 19th day of December, A.D.1941, duly appointed by said Court as Sole Referee to make
partition of the following described real estate, to-wit:

U. S. REVENUE TAX \$ 4.40
Affixed and Cancelled

All that part of the North Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) lying South
of Middle River; the Southwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$); the
East Eight (8) Acres of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$);
the East Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$); also
the following described tract: Commencing at a point 50 rods East of the North-
west corner of the Southeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$), running
thence South, 1° West, 5.58 chains, thence South, 50 $\frac{1}{2}$ ° West, 9.90 chains, thence
South, 30° West, 9.70 chains to the Southwest corner of said Southeast Quarter ($\frac{1}{4}$)
of the Northeast Quarter ($\frac{1}{4}$), thence North 80 rods, thence East to place of
beginning; also the following described tract: Commencing at a point where the
center of the public road crosses the North line of the Southeast Quarter ($\frac{1}{4}$) of
the Northeast Quarter ($\frac{1}{4}$), thence West to a point 30 rods West of the Northeast
corner of said Southeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$), thence South 1
degree West, 5.58 chains, more or less, to a stone in the center of the highway,
thence in a Northeasterly direction to place of beginning; all in Section Fourteen
(14), in Township Seventy-five (75) North, of Range Twenty-eight (28) West of the
5th P.M., containing approximately 120 acres,

See Affidavit 2003-1441 3-14-03

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and it appearing to the Court that said property can not be equitably divided into the requisite number of shares, the Court on the 19th day of December, A.D.1940, 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 Ross Rhoads for the sum of \$4000.00, the same being more than the appraised value thereof,

AND, WHEREAS, on the 8th day of February, A.D.1941, the said Court approved and confirmed said sale and by Order directed the said party of the first part to execute to the 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 sum of \$4000.00 paid by Ross Rhoads, 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 Ross Rhoads the real estate hereinbefore described. 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 20th day of February, A.D. 1941, before the undersigned, a Notary Public in and for said County, personally appeared 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 as 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, 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 Ross Rhoads was reported to the District Court aforesaid on the 1st day of February, 1941, and on the 8th day of February, 1941, said sale was approved by said Court, by order and decree confirming the same.

Witness my hand and the seal of said Court, this 20th day of February, A.D.1941.

(District Court Seal)

Rex V. Johnson
Clerk of the District Court

COMPARED