

Deed Record, No. 78, Madison County, Iowa

Clyde J. Shearer Referee

#3163

To

Fee \$1.00 ✓

John & Lillie C. Thomas

Filed for record the 11 day of August
A.D. 1942 at 4:35 o'clock P.M.
Pearl E. Shetterly, Recorder
FILED MAY 23 1942
Rex V. Johnson Clerk of District Court
COMPARED

REFeree'S DEED

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KNOW ALL MEN BY THESE PRESENTS: THIS INDENTURE made this 19th day of May A.D. 1942, between Clyde J. Shearer, Sole Referee, Party of the First Part, and John Thomas and Lillie C. Thomas, Parties 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 Cora B. Krell, et al., were plaintiffs and Sarah Jane Ragan, et al., were defendants, the same being Cause No. 17109 Equity in the District Court of the State of Iowa, in and for Madison County, as aforesaid, said Party of the First Part was, on the 7th day of May 1941, duly appointed by said Court as Referee to make partition of the following described real estate, to-wit:

The East Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$); the Northwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), and the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), except a tract described as follows: Commencing at the Northeast corner of the said last described tract, running thence West $15 \frac{3}{4}$ rods, thence South $20 \frac{1}{2}$ rods, thence East $15 \frac{3}{4}$ rods, thence North $20 \frac{1}{2}$ rods to the place of beginning; all in Section Fourteen (14); in Township Seventy-five (75) North of Range Twenty-nine (29) West of the 5th P.M., 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, said Court on the 7th day of May 1941, caused an order to be entered, directing said Referee to sell said premises at private sale; and WHEREAS, on the 5th day of November 1941, said Referee did then and there sell to John Thomas and Lillie C. Thomas for the consideration of the sum of Twenty-six Hundred (\$2600.00) Dollars, the following described real estate, situated in Madison County, Iowa, to-wit:

The East Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$); the Northwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), and the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), except a tract described as follows: Commencing at the Northeast corner of said last described tract, running thence West $15 \frac{3}{4}$ rods, thence South $20 \frac{1}{2}$ rods, thence East $15 \frac{3}{4}$ rods, thence North $20 \frac{1}{2}$ rods to the place of beginning; all in Section Fourteen (14); in Township Seventy-five (75) North of Range Twenty-nine (29) West of the 5th P.M., Iowa,

the said John Thomas and Lillie C. Thomas being the highest and best bidders for said tract of real estate, and the said sum of Twenty-six Hundred (\$2600.00) Dollars being the highest and best offer said Referee was able to get for said real estate; and

WHEREAS, on the 20th day of November 1941, the said Court approved and confirmed said sale, and by order directed said Party of the First Part to execute to the said John Thomas and Lillie C. Thomas, a conveyance in due form of law for the said real estate so sold to the said John Thomas and Lillie C. Thomas as aforesaid; and

NOW, THEREFORE, this Indenture Witnesseth, that in consideration of the premises and the

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ACRES-BLACKMAR CO., BURLINGTON, 23057

said sum of Twenty-six Hundred (\$2600.00) Dollars, so paid by the said Parties of the Second Part, in conformity with the law and in obedience to the Orders of said Court, I, Clyde J. Shearer, as such Referee, Party of the First Part, do by these presents, grant, sell and convey unto the said John Thomas and Lillie C. Thomas, as joint tenants and not as tenants in common, their heirs and assigns forever, the said real estate described as follows, to-wit:

The East Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$); the Northwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), and the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), except a tract described as follows: Commencing at the Northeast corner of said last described tract, running thence West $15 \frac{3}{4}$ rods, thence South $20 \frac{1}{2}$ rods, thence East $15 \frac{3}{4}$ rods, thence North $20 \frac{1}{2}$ rods to the place of beginning; all in Section Fourteen (14); in Township Seventy-five (75) North of Range Twenty-nine (29) West of the 5th P.M., Iowa.

TO HAVE AND TO HOLD the same to the Parties of the Second Part as fully and absolutely as 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 day first above written.

Clyde J. Shearer REFeree

STATE OF IOWA MADISON COUNTY :SS

BE IT REMEMBERED; That on the 19th day of May A.D. 1942, before the undersigned, Dorothy D. Longenecker, a Notary Public within and for the County of Madison, State of Iowa, personally came Clyde J. Shearer, to me personally known to be the identical person whose name is subscribed to the foregoing Deed as Sole Referee, and acknowledged the execution of said instrument to be his voluntary act and deed as such 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

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

The foregoing Deed by said Referee was this day returned into Court for approval, and it appearing to the Court that said Referee 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 hereby approved and confirmed, and by direction of said Court said approval is hereby confirmed and endorsed herein by the undersigned.

WITNESS MY HAND and official seal this 23 day of May 1942.

(DISTRICT COURT SEAL)

MPARED

Rex V Johnson Clerk of the
District Court in and for Madison County Iowa.