

Deed Record, No. 66.

Koch Brothers, Inc., Des Moines 19976

Joy D. Hammond, Referee,

to

J. W. & M. D. Wheeler

#1058
Fee \$1.00 ✓Filed for record the 30 day
of March, A. D., 1928, at 3:45
o'clock P. M.Gladys B. DeVault, Recorder,
Ercell M. Knott, Deputy.

REFEREE'S DEED

IN THE DISTRICT COURT OF IOWA, In and for Madison County

THIS INDENTURE, Made this 18th day of February, A. D., 1928, between Joy D. Hammond, Referee of the first part, and J. W. Wheeler and M. D. Wheeler, 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 L. A. Andrew, as Receiver, was plaintiff and Mary E. Lyddon, et al., were defendants, the said parties of the first part were, on the 5th day of October, A. D., 1927, duly appointed by said Court as referee to make partition of the following described real estate to-wit:

The South Half of the Northwest Quarter and the Southwest Quarter of Section Thirty-two (32), Township Seventy-seven (77), North, Range Twenty-nine (29) West of the 5th P. M., Madison County, Iowa,

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 October, A. D., 1927, caused an order to be entered directing said referee to sell said premises on the following terms, to-wit:

At private sale if sold before January 1, 1928, and if not sold on that date, to be sold at public auction.

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 notice thereof at three public places in Madison County, one of which was at the Court House in Winterset, Iowa, where the last District Court was held, and by causing two publications thereof to be made in the Winterset Madisonian 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 2nd day of February, A. D., 1928, at the hour of 10:00 o'clock in the forenoon, at the house situated on said land, expose and offer for sale at public auction, the aforesaid real estate, and did then and there sell at public auction to J. W. Wheeler and M. D. Wheeler, the following described parcel of said lands, for the sum of Thirty-seven Thousand Six Hundred Twenty & no/100 Dollars, he being the highest and best bidder therefor;

AND WHEREAS, the said J. W. Wheeler and M. D. Wheeler party of the second part, has paid to the parties of the first part the said sum of money so bid, as aforesaid;

AND WHEREAS, on the 13th day of February, A. D., 1928, the said Court approved and confirmed said sale, and by order, directed the said parties 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 the said sum of Thirty-seven Thousand Six Hundred Twenty & no/100 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, Joy D. Hammond, Referee, party of the first part, do by these presents grant, sell and convey unto the said J. W. Wheeler and M. D. Wheeler, party of the second part, and to his heirs and assigns, the said parcel of real estate, described as follows, to-wit:

The South Half of the Northwest Quarter and the Southwest Quarter of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-nine (29), West of the 5th P. M.

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 parties 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.

Joy D. Hammond

Referee

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STATE OF IOWA, Guthrie County) ss;

BE IT REMEMBERED, That on the 18th day of February, A. D., 1928, before the undersigned, Carl P. Knox, a Notary Public in and for said County, personally came Joy D. Hammond, to me personally known to be the identical person whose name is subscribed to the foregoing deed as referee, and acknowledged 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.

(Notarial Seal)

CARL P. KNOX
Notary Public in and for
Guthrie County, Iowa.

STATE OF IOWA, Madison County) ss:

IN DISTRICT COURT:

The foregoing deed being by said referee this day returned into Court for approval, and it appearing to the Court that he had complied with the requirements of 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 were approved and confirmed, and by direction of said Court, the said approval is hereby certified and endorsed hereon by the undersigned.

WITNESS my hand and seal this 21st day of February, A. D., 1928.

(District Court Seal)

C. E. Spurgin, Clerk District Court.

COMPARED