

Deed Record, No. 66.

Koch Brothers, Inc., Des Moines 19276

Will Cochran, Referee

#2289

Filed for record Sept. 10th 1928 at
10:00 o'clock A.M.

to

J.H. Franzen

Gladys B. DeVault Recorder
Fee \$.80 ✓

REFEREES' DEED.

IN THE DISTRICT COURT OF IOWA, IN AND FOR Madison COUNTY.

THIS INDENTURE, Made this 10th day of December A.D. 1927 between Will Cochran sole referee of the first part, and J.H. Franzen 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 J.W. Haynes was plaintiff and S.D. Haynes, et al were defendants, the said parties of the first part were, on the 21st day of May A.D. 1927, duly appointed by said Court as referee to make partition of the following described real estate, to-wit:

The East Half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) and the West 70 A. of the South Half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$), all in Section Nine (9) Township Seventy-five (75) North, Range Twenty-six (26) 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 theday ofA.D. 190..., caused an order to be entered directing said referees to sell said premises on the following terms, to-wit:

Either at public or private sale upon such terms as he might deem best subject to the approval of the Court.

AND WHEREAS, In pursuance of such order, the said referees 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, Iowa 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 22nd day of October A.D. 1927 at the hour of 2:30 o'clock in the afternoon, at the south front door of the Courthouse in Winterset, Iowa expose and offer for sale at public auction, the aforesaid real estate, and did then and there sell at public auction to J.H. Franzen the following described parcel of said lands, for the sum of \$8,870.00 Dollars, he being the highest and best bidder therefor;

AND WHEREAS, the said J.H. Franzen 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 November A.D. 1927, 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 \$8,870.00 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, Will Cochran Sole Referee, parties of the first part, do by these presents grant, sell and convey unto the said J.H. Franzen party of the second part, and to his heirs and assigns, the said parcel of real estate, described as follows, to-wit:

The East Half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) and the West Seventy (70) acres of the South Half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$), all in Section Nine (9), Township Seventy-five (75) North, Range Twenty-six (26) 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

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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.

Will Cochran
Sole Referee.

State of Iowa, (
 Madison County, (ss.)

BE IT REMEMBERED, That on the 9th day of January A.D. 1928, before the undersigned a Notary Public in and for Madison County, Iowa, personally came Will Cochran, Sole Referee to me personally known to be the identical person whose name is subscribed to the foregoing deed as referee, and acknowledge 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

C E Hamilton
Notary Public in and for Madison County, Iowa.

State of Iowa, (
 Madison County, (ss.)

IN DISTRICT COURT

The foregoing deed being by said referees this day returned into Court for approval, and it appearing to the Court that they 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 14th day of January A.D. 1928

(District Court Seal)

C.E. Spurgin
Clerk District Court.