

Deed Record, No. 59.

Ellyson Green) Filed for record the 15<sup>th</sup> day of Feb.A.D.1917,at 3:15 o'clock P.M.  
to Jeannette E.Beck.Recorder.  
Martha A.Newlon et al) Referee's Deed. Fee, \$.50.  
# 406

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

THIS INDENTURE MADE, This 6th day of February A.D.1917, between Ellyson Green, sole referee, party of the first part and Mary A. Johnston and Martha A. Newlon 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, whereas Mary A. Johnston, et al, were plaintiffs and F.D. Newlon et al, were defendants, the said party of the first part was on the 3rd, day of May A.D.1916 duly appointed by said court as sole referee to make partition of the following described real estate, to-wit: The South Fifty Seven and Twenty Hundredths (57.20) acres of the Fractional North West Quarter; and the North Twenty Two and Eighty Hundredths (22.80) acres of the fractional South West Quarter all in Section Thirty One (31); Township Seventy Six (76) North, Range Twenty Eight (28) West of the 5th, P.M. Iowa.

And it then and there having been made to appear to the court that said property can not be equitably divided into the requisite number of shares and the said distributive share of the said Mary A. Johnston in said real estate can not be admeasured and set off to her without injury to the shares of the other owners thereof the said court on the 3rd, day of May A.D.1916 caused an order to be made directing said referee to sell said premises at private sale.

And whereas on the 25th, day of November A.D.1916 the said referee did then and there sell said real estate to Mary A. Johnston and Martha A. Newlon for the sum of Sixteen Thousand (\$16,000) Dollars they being the highest and best bidders thereon and that being the highest and best offer made for said real estate. And whereas on the 6th day of February A.D.1917 the said court approved and confirmed said sale and by order directed the said referee, party of the first part, to execute to the parties of the second part a conveyance in due form of law for the said real estate so sold to them as aforesaid.

NDW THEREFORE this indenture witnesseth that in consideration of the premises and the said Sixteen Thousand (\$16,000.00) Dollars so paid by the said parties of the second part in conformity with law and in obedience to the orders of said Court I, the said Ellyson Green, party of the first part do by these presents grant, sell and convey unto the said Mary A. Johnston and Martha A. Newlon parties of the second part, and to their heirs and assigns forever the real estate described as follows, to-wit: The South Fifty Seven and Twenty Hundredths (57.20) acres of the Fractional North West Quarter; and the North Twenty Two and Eighty Hundredths (22.80) acres of the fractional South West Quarter all in Section Thirty One (31), Township Seventy Six (76) North, Range Twenty Eight (28) West of the 5th, P.M. 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, I have hereunto set my hand the date first above written.  
Ellyson Green, Sole Referee.

State of Iowa, Madison County, SS. BE IT REMEMBERED that on the 6<sup>th</sup> day of February, A.D.1917, before the undersigned, A.W. Wilkinson, a Notary Public in and for said County personally came

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ADRES, BLACKMAR &amp; CO. BURLINGTON—18748

Ellyson Green, sole referee, 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.

A.W. Wilkinson

NOTARIAL  
SEAL

Notary Public Madison County, Iowa.

State of Iowa, Madison County, SS. The foregoing deed 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 by 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 15 day of February A.D. 1917.

(District Court Seal)

D.M. Griswold, Clerk District Court.  
By W.H. Vance Deputy.