

## Deed Record, No. 59.

ACRES, BLACKMAR &amp; CO. BURLINGTON—18618

E.B. Marsh, Receiver) Filed for record the 4<sup>th</sup> day of Dec A.D. 1918, at 2:20 o'clock P.M.  
to Jeannette E. Beck, Recorder.

Ralph H. Beaton et al) Receiver's Deed  
and Conveyance & Order.

Fee, \$1.10  
# 2544

Know all Men by these Presents:-

That, Whereas, the District Court of Madison County, in the State of Iowa, by its decree dated the 18th day of February, A.D. 1915, and supplemental orders and decrees, including order of date October 30th, 1918, in cause No. 11058 Equity pending therein and wherein Theo. S. DeLay et al were Plaintiffs and Creston, Winterset & Des Moines Railroad Company et al were Defendants, appointed the undersigned, E. B. Marsh, Receiver, and ordered and directed him to make sale of the property hereinafter described at public sale on the 9th day of November, A.D. 1918 at Ten o'clock in the forenoon at the South Front Door of the Court House in Winterset, Madison County, Iowa, and

WHEREAS, under such orders and decrees the undersigned duly advertised said property for sale as ordered and directed by said Court and, in strict compliance with the orders and decrees of said Court, did, on said date and at said place, in the manner provided by law and the orders and decrees of said Court, sell said property hereinafter described at public sale to Ralph H. Beaton and S. Ornstein, of the City of Columbus and State of Ohio for the sum of Thirty Thousand Dollars, or, subject to taxes, for the net sum of Twenty-one Thousand Six Hundred Forty-one & 63/100 Dollars, and

WHEREAS, said sale has been approved by the said Court, by Hon. J. H. Applegate, one of the judges of said Court, and this receiver ordered and directed to make conveyance of said property to the said Ralph H. Beaton and S. Ornstein upon the payment of said sum, now

THEREFORE, in consideration of the premises and of the said sum of Twenty-one Thousand Six Hundred Forty-one & 63/100 Dollars to me in hand paid by the said Ralph H. Beaton and S. Ornstein, the receipt whereof is now and hereby acknowledged, I, E. B. Marsh, Receiver as aforesaid, do hereby sell, assign, set over, bargain and convey unto the said Ralph H. Beaton and S. Ornstein, the following described property, to-wit:

The line of railroad constructed and <sup>in</sup> process of construction from within the City of Creston, in the County of Union and state of Iowa, North to the Town of Spaulding and North-easterly from thence to and into the Town of Macksburg, in Madison County, in the State of Iowa, a distance of to-wit: Twenty-one and one-half (21½) miles; together with all the right, title estate and interest of said Railroad Company of, in and to all and singular the several pieces and parcels of land upon which is established the roadway of said Railroad; the tracks, rails, bridges, yards, stations, grounds, buildings, fences, fixtures, the right of way and privileges and franchises appurtenant or thereto belonging; the rolling stock, including locomotives, tenders, passenger cars, baggage, express cars, mail cars, freight, stock and dumping cars, flat cars and all other cars of every kind and description which are now or may hereafter be owned by the Railroad Company and used in the operation of said railroad; all machine shops, car shops, blacksmith shops and other shops situated upon or appurtenant to said railroad; all machinery, stationary engines and buildings and all articles used in constructing, replacing and repairing said railroad engines and in the operation thereof; together with all material in the machine shops, car shops and other shops, together with all articles and implements, together with the equipment, working, operating, conducting and repairing of said railroad now owned or hereafter to be acquired by said Railroad Company, including its rights and franchises as a corporation, and all the right, title, interest and property whatsoever, as well in law as in equity, of said Railroad Company, of, in and to the same and as in any and every part thereof, with the appurtenances thereunto belonging.

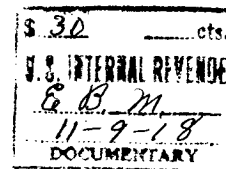
To HAVE AND TO HOLD the same absolutely and in fee simple to the said Ralph H. Beaton and S. Ornstein and to their heirs, executors, grantees and assigns forever as fully and completely as I, the said E. B. Marsh, as such Receiver, might and could in the premises sell and convey the same; this conveyance being made however subject to any and all taxes assessed or levied against the

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said property or any part thereof.

Dated at Winterset, Iowa this 9th day of November, A.D. 1918.

E.B. Marsh, Receiver.



State of Iowa, Madison County, SS.

On this 9th day of November, A.D. 1918, before me personally appeared E.B. Marsh, personally known to me known to be the identical person named in and who executed the above and foregoing instrument and personally to me known to be the duly appointed, legally qualified and acting Receiver of Creston, Winterset & Des Moines Railroad Company and acknowledged that he executed the same as his voluntary act and deed and as the voluntary act and deed of said Railroad Company by him as Receiver duly executed, under orders and decrees of the District Court of the State of Iowa in and for Madison County.

W.T. Guiher

Notary Public in and for said County.



State of Iowa, Madison County, SS. On this 12th day of November, A.D. 1918 the above and foregoing conveyance being submitted for approval and the same having been duly examined the same is now and hereby approved and confirmed and said Receiver directed to deliver the same to the grantees therein named upon receipt of the balance of the purchase price of said property.

J.H. Applegate.  
Judge 5th Judicial District of Iowa.