

Deed Record, No. 59.

ACRES, BLACKMAR & CO. BURLINGTON—18648

✓ Clarence M. Eppard &
Anthony Mabbitt Exec)
to
Willard McVernus Eppard)
Exec.
Deed.

Filed for record the 15 January A.D. 1921 at 9.50
o'clock A.M.

Nettie E. Winship, Recorder
Winifred Whedon, Deputy
Fee \$1.00 ✓ # 110

THIS INDENTURE, made this eleventh (11) day of February A.D. 1920 by and between Clarence M. Eppard and Anthony Mabbitt as the duly appointed, legally qualified and now acting executors of the estate of W.S. Eppard, deceased, late of the County of Madison and State of Iowa parties of the first part and Willard McVernus Eppard of Dallas County and State of Iowa party of the second part, Witnesseth:

That, Whereas, the said W.S. Eppard died testate in Madison County, Iowa, on the 8th day of July, A.D. 1919 the owner in fee simple of the real estate hereinafter described, and

Whereas, on the 21st day of July A.D. 1919 after due and legal notice, the last will and testament of the said W.S. Eppard bearing date the 17th day of March A.D. 1917 witnessed by Jno. A. Guiher and Mrs. J.W. Weaver was duly admitted to probate in the District Court of the State of Iowa in and for Madison County and which said last will and testament named and designated the said Clarence M. Eppard and Anthony Mabbitt his executors thereof, and

Whereas, on the 21st day of July A.D. 1919 the said Clarence M. Eppard and Anthony Mabbitt duly qualified as such executors and letters testamentary were on said date duly issued to them under the seal of said Court, and such said letters testamentary are still in full force and effect and unrevoked, and

Whereas, among other things, Item 2, of said last will and testament provides as follows, to-wit:

"I will and direct that my said Executors shall take charge of all of my real estate and that they shall within a reasonable time make sale of the same at such time and in such manner as to realize the full ^{fair} market value of the same, and that such executors may make such sale or sales without any order of court therefore being fully authorized hereby and empowered to sell and convey the same as fully and completely as I might do. I direct that they shall not be required to make any report of such sales to any court, and that until said lands shall be sold my said executors shall lease and handle the lands belonging to my estate in such manner as to them shall seem wise", and

Whereas, among other things, Item 1 of said last will and testament provides as follows, to-wit:
" I nominate and appoint my son Clarence M. Eppard and my son-in-law, Anthony Mabbitt, executors of this my last will and testament and I direct that they be not required to give any bond as such executors", and

Wherefore, under and by virtue of the authority and direction in said last will and testament contained, the said Clarence M. Eppard and Anthony Mabbitt as such executors sold the following described premises at private sale to Willard McVernus Eppard for the consideration of Thirty four Thousand Three Hundred ~~Fifty~~ seven & 40/100 (\$34357.40) Dollars in hand paid by the said Willard McVernus Eppard the receipt whereof is hereby acknowledged has bargained and sold, granted and conveyed and by these presents it is bargained, granted, sold and conveyed unto the said Willard McVernus Eppard his heirs, administrators and assigns forever all the right, title interest and estate of said W.S. Eppard in and to the following described real

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estate lying and being in Madison County, Iowa,; to-wit:

The Northwest Quarter ($\frac{1}{4}$) of Section Nine (9) and the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter of Section Four (4) except that part thereof described as follows; Commencing at the Northwest corner of said forty acre tract, thence East seven and one-half ($7\frac{1}{2}$) rods, thence in a Southwesterly direction to a point twenty eight (28) rods South of the Northwest corner of said forty acre tract, thence North to the place of beginning, said tract being six and one-half ($6\frac{1}{2}$) rods wide at a point eleven (11) rods South of the place of beginning; all of said land lying and being in Township Seventy six (76) North of Range Twenty nine (29) West, of the 5th P.M. Iowa.

To Have and to hold the above granted premises with all the appurtenances thereto belonging unto the said Willard McVernus Eppard his heirs, administrators and assigns forever.

In Witness whereof, the said Clarence M. Eppard and Anthony Mabbitt as executors of the estate of the said W.S. Eppard have executed these presents the day and year first herein above written. 34 50

Clarence M. Eppard

Anthony Mabbitt

Executors of the Estate of W.S. Eppard, deceased.

cmg.
2-11-21

State of Iowa, Madison County SS: On this 12 day of Feb A.D. 1920 before me personally appeared Clarence M. Eppard and Anthony Mabbitt, executors of the estate of W.S. Eppard, deceased, to me known to be the persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed, as such executors.

In Testimony whereof, I have hereunto subscribed my name and affixed my seal on the date last above written.

Parke Rogers

Notary Public in and for said County.