

## Deed Record, No. 59.

James Leonard Callanan)  
 et al Executors)  
 to (Quit Claim Deed.  
 Nels Bertholf )  
 #322 Fee \$1.30

Filed for record the 10th day of February A.D.  
 1923 at 10/05 o'clock A.M.  
 Olive M. Garrison,  
 Recorder.

Whereas, James Callanan died testate and a widower on September 26th, 1904, and by his last will and testament gave and devised all his personal and real estate to Henry M. Rollins, C.A. Dudley and James Leonard Callanan, of Des Moines, Iowa, and James Lincoln Callanan, of Durango, Mexico, as his executors, upon the trust and condition that they shall sell, convey and dispose of same and authorized and empowered the said executors to execute contracts and deeds and conveyances, and; WHEREAS, The said will and testament of the said James Callanan was admitted to probate by the District Court of the State of Iowa, in and for Polk County, and said persons nominated by said decedent to be executors as aforesaid were appointed and qualified as such, and; WHEREAS, James Lincoln Callanan resigned as executor on the 13th day of September, A.D. 1905, and Henry M. Rollins resigned as executor on the 18th day of February, A.D. 1907, and each upon resignation surrendered, remised and remitted all interest in the estate of said decedent as one of the executors thereof, and; WHEREAS, The District Court of the State of Iowa, in and for Polk County, accepted the resignation of said James Lincoln Callanan on the 19th day of September, A.D. 1905, and ordered that the further administration of the estate of said decedent be continued with Henry M. Rollins, C.A. Dudley and James Leonard Callanan as sole executors thereof with full power, authority and right to carry out and execute all the terms of the last will and testament of said decedent, as provided therein, and; WHEREAS, The District Court of Polk County, Iowa, on the 18th day of February, A.D. 1907, accepted the resignation of said Henry M. Rollins, and on said last named date appointed J.G. Rounds as one of the executors of the last will and testament of said decedent and ordered that the further administration of the estate of said decedent be continued with C.A. Dudley, James Leonard Callanan and J.G. Rounds as sole executors thereof with full authority and right to carry out and execute all the terms of the last will and testament of said decedent, as provided therein, and; WHEREAS, Said J.G. Rounds accepted said trust and has duly qualified as an executor of the last will and testament of said decedent, and; WHEREAS, On the 18th day of October, 1917, the said C.A. Dudley died at Des Moines, and thereafter, and on the 25th day of October, 1917, the said District Court of Polk County, Iowa, on the application of the remaining executors, appointed James A. McKinney as one of the executors of the last will and testament of said decedent, and ordered that upon the qualification of said James A. McKinney as an executor, the further administration of the estate of said James Callanan, deceased, to be continued with James Leonard Callanan, J.G. Rounds and James A. McKinney as sole executors thereof, with full power, authority and right to carry out and execute all the terms of the last will and testament of said James Callanan, deceased, as provided therein. and; WHEREAS, Said James A. McKinney accepted said trust and has duly qualified as an executor of the last will and testament of said decedent, and; WHEREAS, On the 20th day of March, 1919, the said James A. McKinney died at Des Moines, and thereafter, and on the 25th day of March 1919, the said District Court of Polk County, Iowa, on the application of the remaining executors, appointed Cromwell Bowen as one of the executors of the last will and testament of said decedent, and ordered that upon the qualification of said Cromwell Bowen as an executor, the further administration of the estate of the said James Callanan, deceased, be continued with James Leonard Callanan, J.G. Rounds and Cromwell Bowen as sole executors thereof, with full power, authority, and right to carry out and execute all the terms of the last will and testament of the said James Callanan, deceased, as provided therein, and; WHEREAS, Said Cromwell Bowen accepted said trust and has duly qualified as an executor of the last will and testament of the said decedent.

Now, therefore, know all men by these presents that we, James Leonard Callanan, J.G. Rounds and Cromwell Bowen, of Polk County, Iowa, as the executors of the last will and testament of

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ACRES, BLACKMAR &amp; CO. BURLINGTON — 18648

James Callanan, late of Polk County, State of Iowa, deceased, by virtue of the interest and authority vested in us, as aforesaid, and in consideration of the sum of Five (\$5) Dollars in hand paid, the receipt of which is hereby acknowledged, do by these presents Quit Claim to Nels Bertholf all the interest of JAMES CALLANAN, deceased, in and to the following described real estate, situate in the County of Madison and State of Iowa, to-wit: The North East Quarter (NE $\frac{1}{4}$ ) of the South West Quarter (SW $\frac{1}{4}$ ), and the West One Half (W $\frac{1}{2}$ ) of the South East Quarter (SE $\frac{1}{4}$ ), and all that part of the South East Quarter (SE $\frac{1}{4}$ ) of the South East Quarter (SE $\frac{1}{4}$ ) lying North and West of North River all in Section Thirty five (35) Township Seventy seven North, of Range Twenty seven (27) West of the 5th P.M. Iowa. To have and to hold the above described premises to the said grantee, his heirs and assigns forever, And the said executors hereby covenant with the said grantee that in making this QUIT CLAIM DEED of said premises, that they are duly authorized by the terms of the will of said decedent, and have in all things pertaining to the said QUIT CLAIM DEED complied with the provisions of the last will and testament of said decedent relating thereto. Reserving, however, to the executors of the estate of James Callanan, their grantee or assigns all interest in and right to demand and receive any and all indemnity or compensation of any kind from the United States which is now or may hereafter be granted or provided on account of said land having been disposed of by the United States otherwise than under said grant of September 28th 1850. This deed is made simply to remove a cloud from the title. In testimony whereof, the undersigned have as executors of the last will and testament of said James Callanan, deceased, hereunto set their hands this 18th day of January 1923, A.D. 191

James Leonard Callanan,  
J.C. Rounds  
Cromwell Bowen,

STATE OF IOWA, Executors of the estate of James Callanan, deceased.  
Polk County, ss. On this 18th day of January 1923, A.D. 191, before me E.M. Fegtly, a Notary Public within and for said County, personally came James Leonard Callanan, J.C. Rounds and Cromwell Bowen as executors, etc., as stated in the foregoing deed, personally to me known to be the identical persons whose names are affixed to the above instrument as grantors and executors and severally acknowledged the execution of the same to be their voluntary act and deed as executors of the estate aforesaid, for the purpose therein expressed.

In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and date last above written.

E.M. Fegtly  
Notary Public in and for Polk County, Iowa.

NOTARIAL  
SEAL