

Deed Record, No. 77, Madison County, Iowa

J. H. WELCH PRtg. CO., DES MOINES 7559

D. M. Griswold, Executor

#1619

Filed for record the 10th day of March
A.D. 1939 at 3:10 o'clock P.M.

To

Fee \$.70 ✓

F. J. Hibbs

Pearl E. Shetterly, Recorder COMPARED
 FILED FEB 16 1939 P. E. Rose Clerk of
 4177 District court
 Deputy

EXECUTOR'SDEED

KNOW ALL MEN BY THESE PRESENTS:

That Whereas, On the 31st day of December A.D. 1938 D. M. Griswold, as Executor of the estate of Talitha J. Powell, late of the County of Madison Within the State of Iowa now deceased, filed his petition in the District Court of Iowa, within and for the County of Madison against Mrs. Florence Shepherd, B. C. Powell, Mrs. Ada Brown, Lester Powell, Mrs. Blanche Neff, Mrs. Beulah Hibbs, Mrs. Iva Johnson, Mrs. Eva Filler, Mrs. Lea Scott Paulson, Floyd Powell, Loren B. Powell, Bert Powell, Mrs. Lloyd Reigle, Arthur P. Myers, Marie Myers, Florence Myers, Warren Myers, and Mrs. Clarice Ramsey, heirs-at-law of said decedent, praying for an order of said Court, directing him to make sale of the real estate of said decedent, to-wit: Northwest Quarter of the Northwest Quarter of Section 30, Township 77, North, Range 27; and the East Half of the Southeast Quarter of Section 24, Township 77, North, Range 28,

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and the Northeast Quarter of the Northeast Quarter of Section 25, Township 77 North, Range 28, all West of the 5th P.M., Madison County, Iowa, excepting therefrom a tract described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 25, Township 77 North, Range 28, thence west 778.8 feet to the point of beginning, thence West 120.5 feet, thence North 33°53' West 255.1 feet, thence Northwesterly 548.9 feet along a 1860 foot radius curve concave Northeasterly and tangent to a line bearing North 33°53' West at the beginning, thence North 1°06' West 330.3 feet, thence 88°54' East 31.8 feet, thence Southeasterly 829.5 feet along a 1860 foot radius curve Northeasterly and tangent to a line bearing South 33°53' East at the end, thence South 33°53' East 322.3 feet to the poing of beginning, containing 2.33 acres, and except a tract of about ½ acre used as a cemetery.

AND WHEREAS, It appearing to the Court that a sale of said real estate was necessary for the payment of the debts of said decedent's estate, it was by said Court ordered, adjudged, and decreed that the said D. M. Griswold proceed to make sale of said real estate aforesaid, at private sale, at not less than the appraised value thereof; and having sold said premises to F. J. Hibbs for the sum of Forty-five Hundred DOLLARS, which sum was the appraised value thereof; and said sum having been paid by the said F. J. Hibbs and whereas, the said Court afterwards approved and confirmed the sale ordered the said Executor to make and execute a deed to the said F. J. Hibbs for said premises, according to the statu^te in such case made and provided:

NOW THEREFORE, I, D. M. Griswold, as Executor of the estate of Talitha J. Powell, deceased, as aforesaid, in consideration of the sum of Forty-five Hundred DOLLARS, to me in hand paid, the receipt whereof ^{hereby} is/acknowledged, and by virtue of the powers in me vested by law, and by order of said Court, do hereby grant, bargain, sell and convey unto the said F. J. Hibbs the real estate aforesaid, with all and singular the appurtenances thereunto belonging. To have and to hold the same unto the said F. J. Hibbs his heirs and assigns forever.

IN TESTIMONY WHEREOF, I D. M. Griswold as such Executor have hereunto set my hand and seal this 16th day of February A.D. 1939.

D. M. Griswold
Executor of the estate of Talitha J. Powell, Deceased.

STATE OF IOWA, Madison County)ss:

BE IT REMEMBERED , That on the 16th day of February A.D. 1939 before the undersigned Charles D. Van Werden, a Notary Public within and for Madison County, Iowa, personally appeared D. M. Griswold of Winterset, Iowa Executor of the estate of Talitha J. Powell deceased, to me personally known to be the identical person whose name is subscribed to the foregoing deed as grantor and acknowledge the same to be his voluntary act and deed, and that he executed the same for the purposes therein mentioned.

WITNESS my hand and Notarial seal the last day above written.

(Notarial Seal)

Charles D. Van Werden
In and for Madison County, Iowa

APPROVAL AND CONFIRMATION

STATE OF IOWA, Madison County,)ss: In the District Court of Said County:

I, P. E. Rose Clerk of the District Court in and for Madison County, Iowa, do hereby certify that the foregoing deed executed by D. M. Griswold, Executor, as stated herein, to F. J. Hibbs having been by the said D. M. Griswold returned into Court for approval, and it appearing to the Court that the said D. M. Griswold has complied with all the requirements of the law and of this Court in making such sale and conveyance, it was therefore ordered that the said sale and the foregoing deed of conveyance be and the same were on the 16th day of February A.D. 1939, approved by said Court.

WITNESS my hand and the seal of said Court hereto affixed, this 16th day of February

A. D. 1939.

(District Court Seal)

COMPANION

By P. E. Rose

Clerk District Court
Deputy