

Deed Record, No. 77, Madison County, Iowa

J. H. WELCH PRtg. CO., DES MOINES 7889

H. G. Tilton, Sole Referee	#2177	Filed for record the 23 day of March
To		A.D. 1939 at 8:35 o'clock A.M.
	Fee \$.70 ✓	Pearl E. Shetterly, Recorder
W. T. Guiher		FILED MAR 6 - 1939
		P. E. Rose Clerk of District Court
		Deputy
		16825
		COMPARED

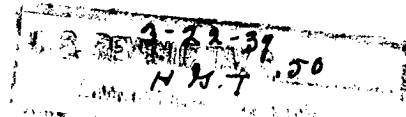
REFEREE'S DEED

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

THIS INDENTURE made this 2nd day of March 1939, between H.G. Tilton, Sole Referee, of Madison County, Iowa, Party of the First Part, and W. T. Guiher of Madison County, Iowa, Party 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, wherein T. J. Hartfield, as Guardian of Annie McMichael, insane, was the Plaintiff and S. A. Hays, Administrator with Will Annexed of the Estate of William Brinson, Deceased, and W. T. Guiher, the owner of 41/60 of the real estate et al., were defendants, the said Party of the First Part was on the 7th day of December 1938, duly appointed by said Court as sole Referee to make partition of the following described real estate situated in the County of Madison, State of Iowa, to-wit:

The West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$), and the West Twenty-two (22) Acres of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-two (32), Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P.M., Iowa.



And it then and there having been made to appear to the said Court that said property cannot be equitably divided into the requisite number of shares, the said Court, on the said 7th day of December 1938, caused an Order to be entered directing the said H. G. Tilton, as sole Referee, to sell said premises at public auction; and

WHEREAS, on the 7th day of January 1939, said Referee did then and there sell said real estate at public auction to the said W. T. Guiher for the sum of One Thousand Twenty & no/100 (\$1020.00) Dollars, the said W. T. Guiher being the highest and best bidder thereon, and the said sum of One Thousand Twenty & no/100 (\$1020.00) Dollars being the highest and best offer that said Referee was able to get for said real estate; and

WHEREAS, on the 10th day of February 1939, the said Court approved and confirmed said sale,

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and by Order directed said Party of the First Part to execute to the Party of the Second Part a conveyance in due form of law for said real estate so sold to the Second Party as aforesaid.

NOW, THEREFORE, this indenture witnesseth that for and in consideration of the premises and the sum of One Thousand Twenty & no/100 (\$1020.00) Dollars so paid by the said W.T. Guiher Party of the Second Part, in conformity with the law and in obedience with the Orders of said Court, I, H. G. Tilton, Party to the First Part, do, by these presents grant, sell and convey unto the said W. T. Guiher, Party of the Second Part, and to his heirs and assigns forever, the said real estate situated in the County of Madison and State of Iowa, and described as follows, to-wit:

The West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) and the West Twenty-two (22) acres of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-two (32), Township Seventy-four (74) North, Range Twenty-nine (29) 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.

H. G. Tilton SOLE REFEREE

STATE OF IOWA MADISON COUNTY :SS

BE IT REMEMBERED that on the 2nd day of March 1939, before me the undersigned, Phil R. Wilkinson a Notary Public in and for said County, personally came H. G. Tilton to me personally known to be the identical person whose name is subscribed to the foregoing Deed as Sole Referee, and acknowledged the execution of the instrument to be his voluntary act and deed as such Sole Referee for the purposes therein mentioned.

WITNESS MY HAND and official seal the day and year above written.

(Notarial Seal)

Phil R. Wilkinson
Notary Public in and for Madison County, Iowa

STATE OF IOWA, MADISON COUNTY)SS:

The foregoing Deed by the said Referee was this day returned into Court for approval, and it appearing to the Court that the sole Referee therein named had complied with the requirements of the 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 be and the same are approved and confirmed, and by direction of said Court said approval is hereby certified and endorsed hereon by the undersigned.

WITNESS my hand and seal this 6th day of March 1939.

(District Court Seal)

P. E. ROSE
CLERK OF THE DISTRICT COURT IN AND FOR MADISON COUNTY, IOWA