

Deed Record, No. 77, Madison County, Iowa

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

Fred C. Petersen, Adm'r

#2899

Filed for record the 13 day of April
A.D. 1939 at 2:25 o'clock P.M.
Pearl E. Shetterly, Recorder.

To

Fee \$1.00 ✓

W. Phillip Duff

ADMINISTRATOR'S DEED

Fred C. Petersen, Administrator with Will Annexed of the Estate of F. M. Compton, deceased.

to

W. Phillip Duff.

Know All Men By These Presents:

That whereas, on the 19th day of December, A.D. 1938, an integrated contract was executed by and between F. M. Compton, of Earlham, Madison County, Iowa, as vendor, and W. Phillip Duff, of Earlham, Madison County, Iowa, as vendee, wherein said F. M. Compton agreed to sell and convey unto W. Phillip Duff the following described/property, to-wit:

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-four (34) Township Seventy-eight (78) North, Range Twenty-eight (28) West 5th P.M. Dallas County, Iowa, except commencing at the Northwest (NW) corner of said tract, thence east Thirty (30) feet, thence Southwest to a point Thirty (30) feet south of the point of beginning, thence North Thirty (30) feet to the point of beginning,

AND

The East Fractional half of the Northwest Quarter (NW $\frac{1}{2}$) of Section Three (3) in Township 77 North of Range 28 West of the 5th P.M. Madison County, Iowa, except a strip described as follows: Commencing at the Southwest corner of said 80 acre tract, running thence East 40 feet, thence North 82 rods, thence West 40 feet, thence South 82 rods to the place of beginning,

Wherein W. Phillip Duff agreed to pay the following described consideration in the manner and method stated, to-wit:

\$500.00 on or before February 1st, 1939.

\$1850.00 March 1st, 1939.

\$5000.00 by assuming and agreeing to pay on first mortgage now on said premises in the sum of \$5000.00 together with the interest thereon from March 1st, 1939.

\$1200.00 by executing to first party (vendor) one promissory note for \$1200.00 dated March 1st, 1939, payable two years after date, with 5% interest from date, payable annually and option to pay any amount second party may desire at any time prior to maturity, with interest from maturity at the rate of 6 per cent per annum on all such sums as shall remain unpaid, until all is paid.

That Whereas, said F. M. Compton became deceased on the 23rd day of January, A.D. 1939, not having executed a deed to said real property heretofore described.

That Whereas, on the 27th day of January, A.D. 1939, an instrument purporting to be the Last Will and Testament of F. M. Compton was filed in the office of the Clerk of the District Court of the State of Iowa, in and for Madison County. That said Last Will and Testament was admitted to probate on the 7th day of February, A. D. 1939: That Mrs. Mamie P. Compton, named as executrix in said Last Will and Testament, declined to serve as such said executrix and petitioned the Court to appoint Fred C. Petersen as Administrator with Will Annexed of said estate, and that said Fred C. Petersen was duly appointed and qualified, gave bond as required by law, published notice of his appointment, and Letters of Administration have been duly issued to him.

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That whereas, on the 25th day of March, A.D. 1939, the verified petition of Fred C. Peterson, administrator with will annexed of said estate was filed in the office of the Clerk of the District Court of the State of Iowa, in and for Madison County, praying for an order of said Court directing him to execute a proper deed or conveyance to the foregoing described real property under the terms heretofore set forth.

That Whereas, it appearing to the Court that said contract for the sale of real property was in due form and that Fred C. Petersen, administrator with will annexed of the Estate of F. M. Compton, deceased, should executed a proper deed of conveyance to W. Phillip Duff, it was found by the Court that no notice was deemed necessary as Mrs. Mamie P. Compton, surviving spouse, sole heir and legatee, under said Last Will and Testament had executed a deed of conveyance of her interest in said real property described heretofore to W. Phillip Duff, it was ordered by said Court that Fred C. Petersen, administrator with will annexed of the Estate of F. M. Compton, deceased, execute a proper deed of conveyance to W. Phillip Duff upon tender of performance by said W. Phillip Duff conveying unto him the real property as described heretofore, said deed being subject to the approval of the District Court of the State of Iowa, in and for Madison County.

And Whereas, W. Phillip Duff by his attorney, Phil R. Wilkinson, having made tender of performance in accordance with the terms of said contract as set forth heretofore,

Now Therefore, I, Fred C. Petersen, administrator with will annexed of the Estate of F. M. Compton, deceased, as aforesaid in consideration of the payment of Five Hundred Dollars (\$500.00) in hand paid unto me on the 1st day of February, A.D. 1939, the assumption and agreeing to pay a mortgage for the sum of Five thousand Dollars (\$5000.00), the tender of the sum of One thousand Eight hundred and Fifty Dollars (\$1850.00) in hand paid which is herewith acknowledged, and one promissory note for the sum of One thousand Two hundred Dollars (\$1200.00) dated March 1st, 1939, payable as heretofore stated in the foregoing, the receipt of which is herewith 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 W. Phillip Duff, all the right, title and interest of the said decedent F. M. Compton in and to the real property aforesaid, with all and singular the appurtenances thereunto belonging.

To Have and to Hold the same unto the said W. Phillip Duff, his heirs and assigns, forever.

In Testimony Whereof, I, Fred C. Petersen, administrator with will annexed of the Estate of F. M. Compton, deceased have hereunto set my hand.

Fred C. Petersen
Fred C. Petersen, administrator with will annexed of the
Estate of F. M. Compton, deceased.

State of Iowa, Madison County)ss:

On this 31st day of March, A.D. 1939, before me Wallace G. Jackson the undersigned notary public within and for said county of Madison, State of Iowa, personally appeared Fred C. Petersen, administrator with will annexed of the Estate of F. M. Compton, deceased, personally known to me to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year last above written.

W. G. Jackson
Notary Public in and for Madison County, Iowa.

State of Iowa)
ss: IN THE DISTRICT COURT OF THE STATE OF IOWA
Madison County) IN AND FOR MADISON COUNTY

The foregoing Deed, executed by Fred C. Petersen, Administrator with Will Annexed of the estate of F. M. Compton, deceased, having been submitted to the Court, was by said Court this day approved, and said approval made of record.

WITNESS my official seal and signature this 8th day of April A.D. 1939.
(District Court Seal)

P. E. ROSE

~~COMPARE~~

Clerk of District Court on and for Madison County, Iowa.