

Deed Record, No. 77, Madison County, Iowa

J. H. WELCH PRtg. CO., DES MOINES 7859

D. M. Griswold, Executor	#3363	Filed for record the 6 day of May
To		A.D. 1939 at 2:35 o'clock P.M.
F. J. Hibbs	Fee \$.70 ✓	Pearl E. Shetterly, Recorder
		4/77 ✓
<u>EXECUTOR'S DEED</u>		

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, Marie Myers, Floyd Powell, Loren B. Powell, Bert Powell, Mrs. Lloyd Reigle, Arthur P. 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: The Northwest Fractional Quarter of the Northwest Quarter of Section 30, in Township 77 North, Range 27 West of the 5th P.M.; and the East Half of the Southeast Quarter of Section 24, except a tract commencing 28 rods South of the Northwest corner of the Southeast ^{of the Southeast Quarter} of said Section 24 and running thence East 20 rods, thence South 20 rods, ^{thence West 20 rods,} thence North 20 rods to the point of beginning; and the Northeast Quarter of the Northeast Quarter of Section 25, except a tract commencing at a point 778.8 feet West of the Southeast corner thereof, and running thence West 419.6 feet, thence Northwesterly 274.3 feet, along a 540.0 foot radius curve concave Northeasterly and tangent to a line bearing North, 1°06' West, at the end, thence North, 1°06' West, 772.9 feet, thence North, 88°54' East, 31.8 feet, thence Southeasterly 829.5 feet along a 1860 foot radius curve concave Northeasterly and tangent to a line bearing South, 33°53' East, at the end, thence South, 33°53' East, 322.3 feet to the point of beginning, containing 4.78 acres, more or less; in Township 77 North, Range 28, West of the 5th P.M., Madison County, Iowa.

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

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decreed that the said D. M. Griswold, Executor, 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 Four Thousand, 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 statute 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 Four Thousand, Five Hundred DOLLARS, to me in hnd paid, the receipt whereof is hereby 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 assignes forever.

IN TESTIMONY WHEREOF, I, D. M. Griswold as such Executor have hereunto set my hand and seal this 4th day of May 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 4th day of May 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 acknowledged 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, Executor, returned into Court for approval, and it appearing to the Court that the said D. M. Griswold, Executor, 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 4th day of May, A.D. 1939, approved by said Court.

WITNESS my hand and the seal of said Court hereto affixed, this 4th day of May A.D. 1939

(District Court Seal)

FILED MAY 4-1939

P. E. Rose Clerk of District Court
Deputy

P. E. Rose
By _____

Clerk District Court
Deputy