

Deed Record, No. 77, Madison County, Iowa

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

W. L. Johnson, Referee#5714

To

M. Breen

Fee \$.90✓

Filed for record the 28 day of September
A.D. 1939 at 8:45 o'clock A.M.
Pearl E. Shetterly, Recorder
Wilma M. Wade, Deputy✓1235
FILED MAY 27 1939
P. E. Rose Clerk of District Court
Deputy COMPARED

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

, REFEREE'S DEED

THIS INDENTURE made this 26th day of May A.D. 1939, between W. L. Johnson, Sole Referee, Party of the First Part, and M. Breen, 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 Margaret Breen, et al., were plaintiffs, and R. D. Swisher, et al., were defendants, the same being cause #12135, Equity, the said Party of the First Part was, on the 1st day of October 1919, duly appointed by said Court as Sole Referee to make partition of the following described real estate, to-wit:-

The Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Three (3); and the North 50 acres of the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Ten (10), all in Township Seventy-five (75) North, Range Twenty-six (26)

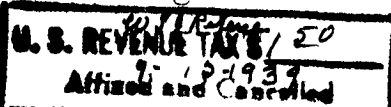
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West of the 5th P.M., Iowa; and
 The East 3/4 of Block Sixteen (16) in the Town of Bevington,
 Madison County, Iowa; also another certain tract of land
 lying immediately South of the East 3/4 of Block Sixteen (16),
 in the town of Bevington, Madison County, Iowa, and extending
 from the South line of said Block Sixteen (16), to the center of
 the channel of Middle River, being all the land lying between
 the East 3/4 of said Block Sixteen (16), and the center of
 the channel of Middle River, and being a part of the Southeast
 Quarter of the Northeast Quarter (1/4) of Section Twenty-five
 (25), Township Seventy-six (76) North, Range Twenty-six (26)
 West of the 5th P.M., Iowa.

And it then and there having been made to appear to the Court that said property cannot be
 equitably divided into the requisite number of shares, said Court on the said 1st day of
 October 1919 caused an order to be entered directing said Referee to sell said real estate
 at either public or private sale; and

WHEREAS on the 29th day of April A.D. 1939, said Referee did then and there sell said real
 estate to M. Breen for the sum of Fourteen Hundred & no/100 (\$1400.00) Dollars, he being the
 highest and best bidder thereon, and that being the highest and best offer said Referee was
 able to get for said real estate; and



WHEREAS, on the 12th day of May A.D. 1939, said Court approved and confirmed said sale, and by
 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 him as aforesaid.
 NOW, THEREFORE, this indenture witnesseth, that in consideration of the premises and the said
 sum of Fourteen Hundred & no/100 (\$1400.00) Dollars so paid by M. Breen, Party of the Second
 Part, in conformity with the law, and in obedience with the Orders of said Court, I, W. L.
 Johnson, Party of the First Part,^{do} by these presents, grant, sell and convey unto the said
 M. Breen, Party of the Second Part, and to his heirs and assigns, said real estate described
 as follows, to-wit:-

The Southwest Quarter (1/4) of the Southeast Quarter (1/4) of
 Section Three (3); and the North 50 acres of the West Half
 (1/2) of the Northeast Quarter (1/4) of Section Ten (10), all in
 Township Seventy-five (75) North, Range Twenty-six (26)
 West of the 5th P.M., Iowa; and
 The East 3/4 of Block Sixteen (16) in the Town of Bevington,
 Madison County, Iowa; also another certain tract of land
 lying immediately South of the East 3/4 of Block Sixteen (16),
 in the town of Bevington, Madison County, Iowa, and extending
 from the South line of said Block Sixteen (16), to the center of
 the channel of Middle River, being all the land lying between
 the East 3/4 of said Block Sixteen (16), and the center of
 the channel of Middle River, and being a part of the Southeast
 Quarter of the Northeast Quarter (1/4) of Section Twenty-five
 (25), Township Seventy-six (76) North, Range Twenty-six (26)
 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 name the date first above written.

W. L. Johnson REFeree

STATE OF IOWA, Polk County)ss:

BE IT REMEMBERED; That on the 26 day of May A.D. 1939, before the undersigned John Malloy
 a Notary Public in and for the County of Polk, State of Iowa, personally came W. L. Johnson
 to me personally known to 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 last above written.

(Notarial Seal)

John Malloy
 Notary Public in and for Polk County, Iowa

STATE OF IOWA, MADISON COUNTY)SS:

The foregoing Deed by said Referee was this day returned into Court for approval, and it
 appearing to the Court that said Referee had complied with the requirements of the law and
 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

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said approval is hereby certified and endorsed hereon by the undersigned.

WITNESS my hand this 27th day of May A.D. 1939.

(District Court Seal)

~~COMPARAT~~

F. E. Rose

Clerk of the District Court in and for Madison County, Iowa