

Deed Record, No. 77, Madison County, Iowa

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

Warren County Sheriff

#1008

Filed for record the 14 day of February
A.D. 1940 at 10:40 o'clock A.M.

To

Fee \$ 1.10 ✓

Pearl E. Shetterly, Recorder

John B. Gallagher, Receiver

SHERIFF'S DEED

4980

THIS INDENTURE, Made the 11th day of November, 1932, by and between Frank Houghtaling, Sheriff of Warren County, Iowa, of the first part, and John B. Gallagher, Receiver of Chicago Joint Stock Land Bank, of the County of Cook, in the State of Illinois, of the second part, witnesseth:

THAT, WHEREAS, By virtue of a Special execution directed to Frank Houghtaling, the then acting Sheriff of Warren County, Iowa, dated the 9th day of September A.D. 1931, and issued out of the Clerk's office of the District Court of the State of Iowa, in and for Warren County, under the seal of said Court, upon a judgment rendered in said District Court, on the 9th day of September, A.D. 1931 in favor of Chicago Joint Stock Land Bank, a corporation, and against Thomas F. Kelleher, et al for the sum of Twenty-nine Thousand Six Hundred Seventy-four and 65/100 DOLLARS, (\$29674.65) debt, costs, interest and accruing costs, the said Frank Houghtaling Sheriff, as aforesaid, did, on the 12th day of September, A.D. 1931 levy on the real estate hereinafter described, as the property of said Thomas F. Kelleher and Ellen C. Kelleher defendant, to satisfy the said execution, and whereas, the said Frank Houghtaling, Sheriff, as aforesaid, gave four weeks' notice of the time and place of selling real estate under said execution, by posting up printed notices thereof at three public places in said Warren County, one of which was at the Court House in Indianola, where the last District Court was held, and by causing two publications of said notice to be made in the Indianola Tribune a newspaper published and printed at Indianola, in said County, before the day of sale.

AND WHEREAS, The said Frank Houghtaling as Sheriff aforesaid, in pursuance of the notice of sale aforesaid in conformity to law and by virtue of said execution, did, on the 13th day of October, A.D. 1931, at the front door of the Court House, in Indianola Iowa, expose and

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offer for sale at public auction the real estate hereinafter described, and did then and there sell the same at public auction to Chicago Joint Stock Land Bank, a corporation, for the sum of Twenty-seven Thousand Five Hundred and no/100 DOLLARS, he being the highest and best bidder therefor. Whereupon the said Sheriff, after receiving the said sum of money from the said purchaser, made and delivered to him a certificate of sale as directed by law; and whereas, the time allowed by law for redeeming said real estate having expired without any redemption thereof having been made: and John B. Gallagher being the duly appointed, qualified and acting receiver of the Chicago Joint Stock Land Bank

U. S. REVENUE TAX \$ 17 50
11-17-32

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That in consideration of the premises and of the said sum of Twenty-seven Thousand Five Hundred Dollars (\$27500.00), so bid and paid as aforesaid, the receipt whereof is hereby acknowledged, I, the said Frank Houghtaling Sheriff as aforesaid, party of the first part, do hereby sell and convey unto the said John B. Gallagher, Receiver of Chicago Joint Stock Land Bank, party of the second part, his successors and assigns assigns forever, the following described real estate, situated in the Counties of Warren and Madison and State of Iowa, (being the same real estate hereinbefore referred to, to-wit):

NOW THEREFORE, You are hereby commanded, the following described real estate, situated in the Counties of Warren and Madison, State of Iowa, to-wit:

The North Half of the Northwest fractional Quarter (N $\frac{1}{2}$ NWfr $\frac{1}{4}$), and the Northwest Quarter of the Northeast Fractional Quarter (NW $\frac{1}{4}$ NEfr $\frac{1}{4}$) of Section Six (6), Township Seventy-six (76) North, Range Twenty-five (25); and the Southwest fractional Quarter (SWfr $\frac{1}{4}$) of Section Thirty-one (31) except one acre in the Northeast corner of the East Half of the Southwest Quarter of said Section Thirty-one (31); and one acre off the West Side of the Southwest Quarter of the Southeast Quarter of Section Thirty-one (31); and the South Half of the Northwest Fractional Quarter (S $\frac{1}{2}$ NWfr $\frac{1}{4}$) of Section Thirty-one (31); all in Township Seventy-seven (77) North, Range Twenty-five (25), West of the Fifth Principal Meridian, Warren County;

and the Northeast Quarter of the Northeast Fractional Quarter (NE $\frac{1}{4}$ NE fr $\frac{1}{4}$) of Section One (1), Township Seventy-six (76) North, Range Twenty-six (26), West of the Fifth Principal Meridian, Madison County, Iowa, containing in all 466.46 acres, more or less.

except a strip 100 feet in width, being 50 feet on each side of the Center line of the railroad of the Des Moines Southern Railway Company, as same is located and staked out across the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section Six (6), Township Seventy-six (76) North, Range Twenty-five (25), and the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section One (1), Township Seventy-six (76) North, Range Twenty-six (26),

Said sale recorded in Sale Book 1 Page 439 Case No. 8321 Docket No...Page No....

TO HAVE AND TO HOLD the said real estate, with all the appurtenances thereto belonging to the said John B. Gallagher, Receiver of Chicago Joint Stock Land Bank his successors and assigns forever, as full and absolutely as the said party of the first part, by virute of the premises, might and could sell and convey the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his seal this 11th day of November, A.D. 1932.

Frank Houghtaling
Sheriff of Warren County, Iowa
By _____ Deputy

STATE OF IOWA, Warren County,)ss.

BE IT REMEMBERED, That on this 17th day of November, A.D. 1932, before me Fred Bitting Clerk Dist Court, in and for Warren County, Iowa, personally appeared Frank Houghtaling Sheriff of Warren County, Iowa, to me personally known to be the identical person whose name is subscribed to the foregoing deed as Sheriff, and who is to me personally known to be the Sheriff of the County of Warren and State of Iowa, and acknowledged the execution thereof to be the act and deed of the Sheriff aforesaid by him as sheriff voluntarily done and executed for the purposes therein mentioned.

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

(District Court Seal)

CONFIRMED

Fred Bitting
Clerk D.C. in and for Warren County, Iowa