

Deed Record, No. 77, Madison County, Iowa

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

George Blair Referee

#2034

Filed for record the 30 day of March &
A.D. 1940 at 10:25 o'clock A.M.

To

Fee \$1.10 ✓

Pearl E. Shetterly, Recorder

E. R. Nichols

FILED MAR 13 1940

P. E. Rose Clerk of District Court,
Deputy COMPARED 1940REFEREE'S DEED

THIS INDENTURE, Made the 1st, day of March A.D. 1940, between George Blair, Sole Referee, of the first part, and E. R. Nichols 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 Teddy Hayden and Gail Barker were plaintiffs, and Walter W. Hayden, et al, were defendants, the said party of the first part was on the 12th, day of October A.D. 1939, duly appointed by said Court as Sole Referee, to make partition of the following described real estate, to-wit:

The Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) and all that part of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) lying North and West of the right of way of the Chicago, Greatwestern Railway Company, in Section Fifteen (15); and the North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$); all that part of the West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) and of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) lying North and West of the said right of way of the Chicago, Greatwestern Railway Company; and a tract described as follows: Commencing at the Southwest Corner of the Northeast Quarter ($NE\frac{1}{4}$) running thence East on the South line thereof, to the center of South Clanton Creek; thence following the center of said Creek in a Northwesterly direction to the right of way of said Railway Company, thence in a Southwesterly direction along said right of way to the public Highway, thence along said Highway to the place of beginning, in Section Twenty-two (22), all in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th, P.M. Iowa,

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and it appearing to the Court that the said property cannot be equitably divided into the requisite number of shares, the Court on the 2nd., day of November A.D. 1939, caused an order to be entered directing said referee to sell said premises on the following terms, to-wit:

For cash in hand to the highest bidder at Public sale

And whereas notice of said sale was published as provided by law and the orders of said Court and the date of said sale fixed as November 28th, 1939, at 10o'clock A.M.

And whereas at said sale E. R. Nichols bid for said property the sum of Forty Five Hundred and no/100 (\$4500.00) Dollars which was the highest and best bid,

And whereas said bid was thereafter approved by the court and said referee directed to execute to the said purchaser a referee's deed conveying said land.

And whereas the said purchaser has now paid the full amount of said bid.

NOW, THEREFORE, THIS INDENTURE WITNESSETH, that in consideration of the premises, and of the said sum of Forty Five Hundred and no/100 (\$4500.00) Dollars so bid and paid by the party of the second part, in conformity with the law and in obedience to the orders of said Court, I, George Blair, _____ party of the first part, do by these presents grant, sell and convey unto the said E. R. Nichols, party of the second part, and to his heirs and assigns, the said parcel of Real Estate, described as follows, to-wit:

The Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and all that part of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) lying North and West of the right of way of the Chicago, Greatwestern Railway Company, in Section Fifteen (15); and the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); all that part of the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) lying North and West of the said right of way of the Chicago Great Western Railway Company; and a tract described as follows: Commencing at the Southwest Corner of the Northeast Quarter (NE $\frac{1}{4}$) running thence East on the South line thereof, to the center of South Clanton Creek, thence following the center of said Creek in a Northwesterly direction to the right of way of said Railway Company, thence in a Southwesterly direction along said right of way to the public Highway, thence along said Highway to the place of beginning, in Section Twenty-two (22), all in Township Seventy-four (74) North, Range Twentyseven (27) West of the 5th. P.M. Iowa, lying and being situated in the county of Madison, and State of 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.

STATE OF IOWA MADISON COUNTY.)ss.

George Blair Referee.

BE IT REMEMBERED, That on the 4th day of March A.D. 1940, before the undersigned, C. A. Robbins, a Notary Public in and for said County, personally came George Blair to me personally known to be the identical person whose name is subscribed to the foregoing deed as Referee, and acknowledged the execution of the instrument to be his voluntary act and deed, as Referee, for the purposes therein mentioned.

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

(Notarial Seal)

C. A. Robbins Notary Public
in and for Madison County, Iowa

STATE OF IOWA Madison County.)ss.

I, P. E. Rose, Clerk of the District Court of said County, do hereby certify that the sale of the lands described in the within conveyance to E. R. Nichols was reported to the District Court aforesaid on the 28th day of November 1939, and on the 28th day of November 1939 said sale was approved by said Court, by order and decree confirming the same.

WITNESS my hand and the seal of said Court, this 13th day of March A.D. 1940.

(DISTRICT COURT SEAL)

P. E. Rose Clerk District Court

COMPARED