

Deed Record, No. 77, Madison County, Iowa

J. H. WELCH PRtg. CO., DES MOINES 7699

Jno. N. Hartley, Referee

#4982

Filed for record the 17 day of September
A.D. 1940 at 2:26 o'clock P.M.

To

Fee \$.70 ✓

Pearl E. Shetterly, Recorder

Harry F. Anderson

REFEREE'S DEED - (in Partition.)

THIS INDENTURE, Made the 6th day of September A.D. 1940 between Jno. N. Hartley, referee, of the first part, and Harry F. Anderson 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 Alice Doud was plaintiff, and E. D. Hartley, et al were defendants, the said party of the first part was, on the 9th day of June A.D. 1930, duly appointed by said Court as Referee, to make partition of the following described Real Estate, to-wit:

The Southwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) and the West Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$), except a tract commencing at a point 27.87

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feet West of the Southeast corner of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$), and running thence West 80.73 feet, thence North, 43° 25' East, 116.13 feet, thence South 0° 37' East, 84.36 feet to the point of beginning, containing .08 of an acre, heretofore condemned for highway purposes, all in Section Twelve (12), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

and it appearing to the Court that the said property cannot be equitably divided into the requisite number of shares, the Court on the 8th day of April A.D. 1939 caused an order to be entered directing said Referee to sell said premises on the following terms, to-wit: 20% of the purchase price payable on date of sale and balance at such time thereafter as a referee's deed with marketable abstract of title is tendered to the purchaser.

AND, WHEREAS, in pursuance of such order, the said Referee caused four weeks' notice of the time and place of said sale to be given, by posting up notices thereof at three public places in Madison County, one of which was at the Court House in Winterset, Iowa where the last District Court was held, and by causing two publications thereof to be made in the Winterset News a newspaper printed in said County, immediately before the day of sale;

AND, WHEREAS, the said Referee, in pursuance of said notice and the order of the Court, did, on the 8th day of May A.D. 1939, at the hour of 10 o'clock in the forenoon, at the South Front Door of the Court House in Winterset, Iowa expose and offer for sale at public auction, the aforesaid Real Estate, and did then and there sell at public auction to Harry F. Anderson the following described parcel of said lands, for the sum of Two Thousand Sixteen and 00/100 (\$2016.00) DOLLARS, he being the highest and best bidder therefor;

AND, WHEREAS, the said Harry F. Anderson party of the second part, has paid to the party of the first part the said sum of money so bid, as aforesaid;

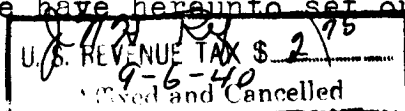
AND, WHEREAS, on the 25 day of May A.D. 1939, the said Court approved and confirmed said sale, and by order directed the said party of the first part to execute to the said party of the second part a Conveyance in due form of law, for the said parcel of land so sold to him as aforesaid.

NOW, THEREFORE, THIS INDENTURE WITNESSETH, that in consideration of the premises, and of the said sum of Two Thousand Sixteen and 00/100 (\$2016.00) 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, Jno. N. Hartley Referee, parties of the first part, do by there presents grant, sell and convey unto the said Harry F. Anderson 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 ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) and the West Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$), except a tract commencing at a point 27.87 feet West of the Southeast corner of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$), and running thence West 80.73 feet, thence North, 43° 25' East, 116.13 feet, thence South 0° 37' East, 84.36 feet to the point of beginning, containing .08 of an acre, heretofore condemned for highway purposes, all in Section Twelve (12), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, 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 parties of the first part, by virtue of the premises, might and could sell the same.

IN WITNESS WHEREOF, we have hereunto set our hands the date first above written.



Jno. N. Hartley Referee

STATE OF IOWA, Madison County,)ss.

BE IT REMEMBERED, That on the 6th day of September A.D. 1940 before the undersigned, Lois Martin a Notary Public in and for said County, personally came Jno. N. Hartley to me personally known to be the identical person whose name is subscribed to the foregoing deed as Referee, and acknowledged the execution of said 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)

Lois Martin Notary Public
in and For Madison County, Iowa.

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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 lands described in the within conveyance to Harry F. Anderson was reported to the District Court aforesaid on the 25th day of May 1939^{and on the 25th day of May 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 6th day of September 1940.

(DISTRICT COURT SEAL)

COMPARED

P. E. Rose

Clerk District Court
Deputy