

Deed Record, No. 77, Madison County, Iowa

James F. Hart Adm'r

#515

Filed for record the 21 day of January
A.D. 1941 at 9:00 o'clock A.M.

To

Fee \$.60

Pearl E. Shetterly, Recorder

Elbert & Bertha May Smith

PROBATE DEED

PURSUANT TO AUTHORITY, Granted at the November Term, 1939 of the District Court of the State of Iowa, in and for the County of Warren, and in consideration of the sum of Ninety and No/100 DOLLARS, in hand paid by Elbert Smith and Bertha May Smith of Madison County, State of Iowa, I, James F. Hart, Administrator de bonis of the Estate of Charles W. Aylward, deceased, do hereby SELL AND CONVEY unto the said Elbert Smith and Bertha May Smith the following described Real Estate, situated in the County of Madison State of Iowa, to-wit:

The North Half of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Five (5), Township Seventy-seven (77), Range Twenty-six (26), West of the Fifth Principal Meridian, containing 4.88 acres more or less.

TO HAVE AND TO HOLD the same unto the said Elbert Smith and Bertha May Smith, their heirs and assigns forever. And I hereby covenant, in my official capacity aforesaid, that in making this sale and conveyance, I have in all things complied with the orders of said Court and the provisions of the law relating thereto.

Witness my hand in the capacity aforesaid, this 9th day of December, A.D., 1940.

James F. Hart Administrator de bonis non of the Estate of Charles W. Aylward deceased

STATE OF IOWA, POLK COUNTY, ss.

On this 9th day of December, A.D., 1940, before me, Thos. J. Guthrie, a Notary Public within and for said County, personally came James F. Hart, as administrator de bonis non of the estate of Charles W. Aylward, deceased, etc., as stated in the foregoing deed; personally to me known to be the identical person whose name is affixed to the above instrument as grantor and administrator de bonis non, and acknowledged the execution of the same to be his voluntary act and deed for the purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and date last above written.

(Notarial Seal)
Thos. J. Guthrie Notary Public in and for Polk County, Iowa.
STATE OF IOWA, Warren County)ss. In the District Court of Said County.

I, P. K. McKee Clerk of said Court, do hereby certify that the above and foregoing Deed of Conveyance, executed by James F. Hart Administrator de bonis non of the Estate of Charles W Aylward deceased as stated therein to Elbert Smith & Bertha May Smith was on the 13 day of Dec 1940, presented in open Court for approval and the same was by the Court approved and ordered of record.(See Probate Record, No. 9, Page 518).

WITNESS my hand and the seal of said Court, at Des Moines, in said County this 14 day of Dec 1940

(DISTRICT COURT SEAL)

COMPARED

P. K. McKee Clerk
By Marlys Walker Deputy