

Deed Record, No. 77, Madison County, Iowa

Gillett Harpole, Sole Referee

#1583

Filed for record the 4 day of March
A.D. 1941 at 3:48 o'clock P.M.

To

Fee \$.70 ✓

F. J. Eggleston

Pearl E. Shetterly, Recorder

FILED DEC 28 1939

P E Rose Clerk of District Court
Deputy COMPIRED

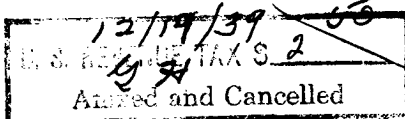
REFEREE'S DEED

IN THE DISTRICT COURT OF MADISON COUNTY, IOWA

THIS INDENTURE made this 19th day of December 1939, by and between Gillett Harpole, Sole Referee, Party of the First Part, and F. J. Eggleston of Madison County, Iowa, Party of the Second Part, WITNESSETH:

WHEREAS, in an action of partition in the District Court of the State of Iowa, in and for Madison County, wherein Laurretta E. Eggleston, et al., were plaintiffs, and Margaret C. Nevins, et al., were defendants, the said Party of the First Part, was on the 23rd day of April 1938, appointed sole Referee to make partition of the following described real estate to-

The West Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$),
and the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$)
of Section Sixteen (16), 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, the said Court, on the 23rd day of April 1938, caused an order to be entered directing said Referee to sell said premises at private sale; and

WHEREAS, on the 8th day of November 1939, said Referee did then and there sell said real estate to F. J. Eggleston for the sum of Twenty-five Hundred (\$2500.00) Dollars, he being the highest and best bidder thereon, and that being the highest and best offer he was able to get for said premises; and

WHEREAS, on the 19th day of December 1939, the said Court approved and confirmed said sale, 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 Twenty-five Hundred (\$2500.00) Dollars, so paid by the Party of the Second Part, in conformity with the law and in obedience with the orders of the Court, I, the said Gillett Harpole, Party of the First Part, do by these presents, grant, sell and convey unto the said F. J. Eggleston, and to his heirs and assigns, said real estate described as follows, to-wit-

The West Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$),
and the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$)
of Section Sixteen (16), 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 Party of the First Part by virtue of the premises might and could sell and same. It being understood that the purchase price is paid by the assumption of a mortgage of \$2500.00 on

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

said premises, and the Grantee hereby does assume and agree to pay said mortgage indebtedness in the sum of Twenty-five Hundred (\$2500.00) Dollars in favor of Michael Loftus, now on said premises.

IN WITNESS WHEREOF I have hereunto set my hand the date first above written.

Gillett Harpole SOLE REFEREE

STATE OF IOWA MADISON COUNTY ::SS

BE IT REMEMBERED: That on the 19th day of December 1939, before the undersigned, a Notary Public within and for the County of Madison and State of Iowa, personally came Gillett Harpole, as Sole Referee, and to me personally known to be the identical person whose name is subscribed to the foregoing Deed as such sole Referee, and acknowledged the execution of the instrument to be his voluntary act and deed as such Referee for the purposes therein mentioned.

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

(Notarial Seal)

Dorothy D. Longenecker Notary Public
in and for Madison 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 he had complied with the requirements of law and the 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 were approved and confirmed, and by direction of said Court, the said approval is hereby certified and endorsed hereon by the undersigned.

WITNESS my hand and the seal of this Court this 28th day of December A.D. 1939.

(DISTRICT COURT SEAL)

COMPARED

P E Rose Clerk of the District Court
in and for Madison County, Iowa.