

Deed Record No. 72, Madison County, Iowa

A.D.Guiberson, Sole Referee

#1423

Filed for record the 17 day of March A.D.1938 at 1;20 o'clock P.M.

To

Fee \$ 1.00

Valda C. Bishop Farver, Recorder
Filed Mar 2-1938

A.L.Bennett

REFEREE'S DEED 16217

P.E.Rose Clerk of District Court
..... Deputy

KNOW ALL MEN BY THESE PRESENTS:-

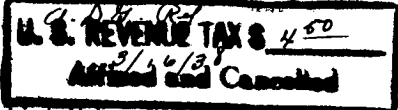
Compared

THIS INDENTURE made this 1st day of March A.D.1938, between A.D.Guiberson, Sole Referee, Party of the First Part, and A.L.Bennett, Party 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 A.L.Bennett, W.V.Bennett and G.N.Bennett were plaintiffs, and Arzella Allen, et al., were defendants, the same being Cause No.16217 Equity, in the District Court of the State of Iowa, in and for Madison County, as aforesaid said Party of the First Part was on the 28th day of May, A.D.1937, duly appointed by said Court as Referee to make partition of the following described real estate, to-wit:-

The West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Eleven (11), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-two (22), and the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-three (23), and the North Half (N $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-six (26), and the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-seven (27), Township Seventy-seven (77) North, Range Twenty-eight (28) 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, said Court on the 28th day of May 1937, caused an Order to be entered, directing said Referee to sell said premises at private sale; and



WHEREAS, on the 16th day of August A.D.1937, said Referee did then and there sell to A.L.Bennett for the consideration of the sum of Four Thousand Five Hundred & no/100 (\$4,500.00) Dollars, the following described real estate situated in Madison County, Iowa, to-wit:-

The West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Eleven (11), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Iowa; and the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-two (22), and the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-three (23), and the North Half (N $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-six (26), and the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-seven (27), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Iowa,

the said A.L.Bennett being the highest and best bidder for said tract of real estate, and the said sum of Four Thousand Five Hundred & no/100 (\$4,500.00) Dollars, being the highest and best offer said Referee was able to get for said real estate; and

WHEREAS on the 31st day of August A.D.1937, said Court approved and confirmed said sale, and by Order directed said Party of the First Part to execute to the said A.L. Bennett, Party of the Second Part, a conveyance in due form of law for the said real estate so sold to the said A.L.Bennett as aforesaid;

NOW THEREFORE, this Indenture Witnesseth, that in consideration of the premises and the said sum of Four Thousand Five Hundred & no/100 (\$4,500.00) Dollars, so paid by the said Party of the Second Part in conformity with the law and in obedience with the Orders of said Court, I, A.D.Guiberson, as Sole Referee, Party of the First Part, do by these presents, grant, sell and convey unto the said A.L.Bennett, Party of the Second Part hereto, his heirs and assigns forever, the said real estate described as follows, to-wit:-

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The West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Eleven (11), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Twenty-two (22), and the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty-three (23) and the North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twenty-six (26), and the South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty-seven (27), Township Seventy-seven (77) North, Range Twenty-eight (28) 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 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 day first above written.

A.D.Guiberson Sole Referee

STATE OF IOWA :
: SS BE IT REMEMBERED: That on the 1st day of March 1938, before
MADISON COUNTY :
the undersigned, Phil R. Wilkinson, a Notary Public within and for the County of Madison and State of Iowa, personally came A.D.Guiberson to me personally known to be the identical person whose name is subscribed to the foregoing Deed as Sole Referee, and acknowledged the execution of said instrument to be his voluntary act and deed as such Sole Referee for the purposes therein mentioned.

WITNESS MY HAND and official seal the day and year last above written.

(Notarial Seal)

Phil R. Wilkinson
Notary Public in and for Madison County, Iowa.

STATE OF IOWA :
: SS
MADISON COUNTY : THE foregoing Deed by said Referee was this day returned into Court for approval, and it appearing to the Court that said Referee had complied with the requirements of the 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 are hereby approved and confirmed and by direction of said Court said approval is hereby confirmed and endorsed hereon by the undersigned.

Witness my Hand and official seal this 3rd day of March 1938.

(District Court Seal)

COMPARED

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