

Deed Record No. 72, Madison County, Iowa

Commissioner & Ex-Officio Probate
Judge ,Juneau Precinct.
To
Elsie DeVault

#2351

Fee \$1.70

Filed for record the 4 day of
May A.D.1938 at 2;27 o'clock
P.M.
Valda C. Bishop Farver,Recorder

IN THE COMMISSIONER'S COURT FOR THE TERRITORY OF ALASKA DIVISION NUMBER ONE

Before FELIX GRAY,Commissioner and Ex-Officio Probate Judge,
Juneau Precinct
IN THE Matter of the Guardianship of)
GILBERT DEVAULT, a minor,) LETTERS OF GUARDIANSHIP

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING: KNOW YE, that it appearing to me, the Commissioner aforesaid, that Gilbert Devault, a minor, of Juneau, Alaska, is possessed of an estate which needs and requires care and control by some competent and qualified person, and that Elsie DeVault, mother of said minor child, has been appointed guardian of the estate of Gilbert Devault;

NOW THEREFORE THIS AUTHORIZES the said Elsie DeVault to have the care and custody of the estate of Gilbert Devault, to administer said estate, and to perform all the duties of guardian, to which office she has been appointed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the Probate Court above mentioned this 21st day of October, 1937.

(SEAL) UNITED STATES OF AMERICA)
TERRITORY OF ALASKA) SS. Felix Gray
Commissioner and Ex-Officio Probate Judge,Juneau Precinct.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of the Letters of Guardianship issued out of the above entitled court in the matter of the Guardianship of Gilbert Devault, a minor, on the 21st day of October, 1937.

GIVEN under my hand and the seal of the Probate Court above mentioned this 21st day of October, 1937.

(Seal Probate Court of Alaska,Juneau Precinct) Felix Gray
Commissioner and Ex-Officio Probate Judge,Juneau,
Precinct.

IN THE COMMISSIONER'S COURT FOR THE TERRITORY OF ALASKA FIRST DIVISION

Before FELIX GRAY, Commissioner and Ex-Officio Probate Judge,Juneau Precinct
In the Matter of the)
Guardianship of)
GILBERT DEVAULT, a) ORDER DIRECTING GUARDIAN TO SIGN QUIT
minor) CLAIM DEEDS AND TO COMPROMISE CLAIM

This matter coming on for hearing at this time, on the petition of Elsie DeVault, guardian of the estate of Gilbert Devault, a minor, and the court having read the petition of said guardian, having heard said guardian and her attorney, N.C.Banfield, explain the circumstances surrounding the transactions referred to in said petition, and being fully advised in the premises; and it appearing to the court that the petition of said guardian clearly shows that an order should be entered herein, granting petitioner the authority prayed for in said petition;

NOW THEREFORE IT IS HEREBY ORDERED AND ADJUDGED, that Elsie DeVault, as guardian of the estate of Gilbert Devault, a minor child, be, and she is hereby ordered and directed to quit-claim unto Effie M.Drake and C.H.Devault all of Lot Eight (8) in Block One (1) of the Shriver Addition to the City of Winterset, Iowa, and she is hereby further ordered and directed, as such guardian, to quit-claim unto Effie M.Drake, on behalf of said minor, the

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Acres-Blackmar Co. Burlington 2080

following described real property, to-wit:

The Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section twenty-nine (29) in Township seventy-six (76) north, of Range twenty-nine (29) west of 5th P.M., except a tract described as follows, to-wit: Commencing at the Southwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-nine (29) and running thence east fifteen (15) rods, thence north ten (10) rods and eleven (11) feet, thence west fifteen (15) rods, thence south ten (10) rods, and eleven (11) feet to the place of beginning; together with all the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining;

and she is hereby authorized, ordered and directed to acknowledge, on behalf of said minor child, that all conditions of a certain escrow agreement entered into by Mary F. DeVault on December 31st, 1918, with the three children of Mary F. DeVault, have been fully satisfied as to any and all claims which the said Gilbert DeVault may have thereunder; and said guardian is further ordered and directed to make and accept an offer of settlement, a copy of which is hereto attached and marked Exhibit "A", and to transmit the same to C.H. DeVault and Effie M. Drake, mentioned therein; and said guardian is hereby authorized and empowered to make, execute and acknowledge all deeds, transfers and other documents of every nature and description necessary to effect the settlement mentioned in Exhibit "A", and to secure to the said Gilbert DeVault all real and personal property to which he is entitled under said settlement, and otherwise.

Given under my hand and the seal of the Probate Court above mentioned this 22nd day of October, 1937.

Felix Gray
U.S. Commissioner and Ex-Officio Probate Judge,
Juneau Precinct.

(SEAL)
UNITED STATES OF AMERICA)
TERRITORY OF ALASKA) SS.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of the Order Directing Guardian to Sign Quit-Claim Deeds and Compromise Claim issued out of the above entitled court in the matter of the Guardianship of Gilbert DeVault, a minor, on the 22nd day of October, 1937.

GIVEN under my hand and the seal of the Probate Court above mentioned this 22nd day of October, 1937.

Felix Gray
U.S. Commissioner and Ex-Officio Probate Judge,
Juneau Precinct.

(U.S. Commissioner Seal)

C O P Y

EXHIBIT "A"

OFFER AND ACCEPTANCE OF SETTLEMENT

THIS MEMORANDUM and acceptance of settlement of the estate of Mary F. DeVault, deceased, and the question of delivery of deeds executed by the said Mary F. DeVault during her life time, by and between the heirs at law of said decedent, to-wit: Effie M. Drake, C.H. DeVault, daughter and son, respectively, of said decedent, Mrs. Elsie DeVault, widow of G.A. DeVault, Forest DeVault, Clyde DeVault, Velma Keaton, Gilbert DeVault, by guardian and Glenn DeVault, children of said G.A. DeVault, now deceased and a son of the said Mary F. DeVault, deceased,

WITNESSETH:

1. That the widow and children of G.A. DeVault, deceased, as above named shall release and surrender to C.H. DeVault, by proper instruments all their right title and interest in and to the estate of Mary F. DeVault, including the house located in Winterset, Iowa.
2. That the said C.H. DeVault will convey to the widow and children of G.A. DeVault, deceased the 120 acres deeded to the said C.H. DeVault in deed now in the hands of S.A. Hays, of Winterset, Iowa.
3. That the said widow and children of G.A. DeVault, deceased are to receive from Effie M. Drake the sum of \$300.00. which is to be in turn assigned to C.H. DeVault by said widow and children.
4. That the said Effie M. Drake hereby agrees to pay in cash, or proper assignment the sum of \$300.00 to the widow and children of said G.A. DeVault, deceased. Also said Effie M. Drake agrees to pay the said widow and children of G.A. DeVault, deceased, the sum of \$167.77.
5. That the said Effie M. Drake shall receive and retain as her property the deed executed by the said Mary F. DeVault in her life time, conveying the real estate therein described.

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- 6. That the widow and children of G.A.Devault shall receive and retain as their property the deed executed by the said Mary F. Devault,during her life time, to the said G.A.Devault.
- 7. That the said C.H.Devault hereby acknowledges that he is indebted to Effie M. Drake in this settlement the sum of \$1049.00 which is to be adjusted between them as they see fit. The said C.H.Devault in this settlement to become the owner of 2/3 of the Mary F.Devault estate, including the house above mentioned, and the said Effie M.Drake shall be the owner of the 1/3 of said estate including said house.
- 8. That the said C.H.Devault and Effie M.Drake shall be responsible for costs and charges in the settlement of the Mary F.Devault estate and the widow and children of G.A.Devault,deceased,wholly relieved therefrom.
- 9. That the said S.A.Hays is hereby authorized to deliver the deeds above mentioned, as now in his hands, to the parties entitled thereto, also to make correction of the description of real estate in deed made in favor of G.A.Devault,deceased.
- 10. That all parties to the contract entered into on the 31st day of December A.D. 1918, by and between Mary F.DeVault as party of the first part, and C.H.Devault, Effie M.Drake and G.A.Devault be and they are hereby released from further obligation under and by virtue of said contract, upon said parties performing their respective part of this agreement, this release applying to the widow and children of the said G.A.Devault, deceased, who are the parties entitled to the share of the said G.A.Devault,deceased.
- 11. That the parties hereto will exchange Quit Claim Deeds with each other as may be requested by the party or parties getting any certain tract of land for the purpose of avoiding any future question as to the title of the party or parties receiving said land.
- 12. It is understood and agreed that this contract of settlement shall be performed by the respective parties on or before February 1st, 1938, and possession of land to change hereunder as to occupancy to be on or before March 1st, 1938.
- 13. This memoranda to be binding on all parties hereto as soon as properly executed by all parties named in the heading hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 2nd day of October, A.D.1937.

(EXECUTED IN TRIPLICATE)

COMPARED

(Sig.)
(SIC.)
(Sig.)

EFFIE M.DRAKE
C.H.DEVAULT
GLENN A.DEVAULT
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