

Deed Record No. 72, Madison County, Iowa

Nels Bertholf, Sole Referee

#4057

Filed for record the 27 day of
August A.D.1938 at 4:00 o'clock
P.M.

To

B.J.Hollen & O.C.Hart

Fee \$.70

Valda C. Bishop Farver, Recorder

Filed Jan 19 1932 C.E.Spurgin Clerk District Court
Compared

REFEREE'S DEED

IN THE DISTRICT COURT OF THE STATE OF IOWA IN AND FOR MADISON COUNTY

This INDENTURE made this 16th day of January A.D.1932 by and between Nels Bertholf, Sole Referee, Party of the First Part, and B.J.Hollen and O.C.Hart, Parties 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 Emma L.Hollen, et al., were Plaintiffs and Etta Gilbert, et al., were Defendants. The said Party of the First Part was on the 31st day of October A.D.1931 appointed Sole Referee to make partition of the following described real estate, to-wit:-

West 12 acres of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-three (23) and about 20 acres in the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-three (23) being that part west of the Rocky Branch and East of the West 23 acres of said South Half (S $\frac{1}{2}$) of the North West Quarter (NW $\frac{1}{4}$), all in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., except a railroad right-of-way heretofore deeded through said tract.

And, it then and there having been made to appear to the Court that the said property can not be equitably divided into the requisite number of shares, the said Court on the 31st day of October A.D.1931 caused an Order to be entered directing said Referee to sell said premises at private sale.

And WHEREAS, on the 15th day of December A.D.1931 said Referee did then and there sell said real estate to B.J.Hollen and O.C.Hart for the sum of Six Hundred (\$600.00) 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 18th day of January A.D.1932 the said Court approved and confirmed said sale and by Order directed the said Party of the First Part to execute to the Parties of the Second Part a conveyance in due form of law for said real estate so sold to them as aforesaid.

NOW, THEREFORE, this INDENTURE WITNESSETH that in consideration of the premises and the said sum of Six Hundred (\$600.00) Dollars so paid by the Second Parties in conformity with the law and in obedience to the orders of said Court, I, the said Nels Bertholf, Party of the First Part, do by these presents grant, sell and convey unto the said B.J.Hollen and O.C.Hart and to their heirs and assigns the said real estate described as follows, to-wit:-

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Acres-Blackmar Co. Burlington 2080

West 12 acres of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-three (23) and about 20 acres in the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-three (23) being that part West of the Rocky Branch and East of the West 23 acres of said South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), all in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., except a railroad right-of-way heretofore deeded through said tract.

To have and to hold the same to the Parties of the Second Part as fully and absolutely as the said Party 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.

Nels Bertholf
Sole Referee.

STATE OF IOWA :
: SS
MADISON COUNTY :

BE IT REMEMBERED that on the 16th day of January A.D.1932 before the undersigned, Phil R. Wilkinson, Notary Public in and for said County, personally came Nels Bertholf to me personally known to be the identical person whose name is subscribed to the foregoing Deed as Referee and acknowledged the 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) Phil R. Wilkinson
Notary Public In and For Madison County, Iowa .
State of Iowa :
: SS IN THE DISTRICT COURT.
Madison County :

I, C.E.Spurgin, Clerk of the District Court of said County do hereby certify that the sale of land described in the within conveyance to B.J.Hollen and C.C.Hart was reported to the District Court aforesaid on the 18th day of January A.D.1932, and on the 18th day of January A.D.1932, said sale was approved by said Court, by order and decree confirming the same.

Witness my hand and the seal of said Court, this 18th day of January A.D.1932.
(District Court Seal) C.E.Spurgin
Clerk District Court.

COMPARED