

Deed Record No. 72, Madison County, Iowa

C.C.Cook, Sole Referee

#4178

Filed for record the 7 day of
September, A.D.1938 at 9:10 o'clock
A.M.To
Alfred H.Koch

Fee \$.60

Valda C. Bishop Farver, Recorder

REFEREE'S DEEDFiled Mar 12 1938 ¹⁴⁹¹³ P.E.Rose Clerk of
District Court Deputy
COMPARSED

THIS INDENTURE made this 11th day of March A.D.1938, between C.C.Cook, Sole Referee,
Party of the First Part, and Alfred H. Koch, 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 George M. Gutshall, et al., were plaintiffs and Lovira
Hitchell, et al., were defendants, the same being No. 14913, Equity, in the District Court
of the State of Iowa in and for Madison County, Iowa, as aforesaid, said Party of the First

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Acres-Blackmar Co. Burlington 2080

Part was, on the 25th day of May A.D.1931, duly appointed by said Court as Sole Referee to make partition of the following described real estate, to-wit:-

South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Two (2); and
North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Eleven (11),
all in Township Seventy-seven (77) North, Range Twenty-seven (27) 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 25th day of May A.D.1931, caused an order and decree to be entered, directing said Referee to sell said premises at either public or private sale; and

WHEREAS, on the 14th day of December 1937, this Court caused an additional Order to be entered directing said Referee to sell said real estate at public sale in conformity with Section 11722 of the Code of Iowa, after notice thereof was given for four (4) consecutive weeks in a newspaper printed, published and of general circulation in Madison County, Iowa, and by posting said Notice in at least three (3) public places in Madison County, Iowa, as therein directed; and

WHEREAS, after said Notice had been given in compliance with the Orders of this Court, said Referee on the 20th day of January 1938, did then and there sell to Alfred H. Koch for the consideration of the sum of Six Thousand Three Hundred Twenty & no/100 (\$6,320.00) Dollars, the following described real estate situated in Madison County, Iowa, to-wit:-

South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Two (2); and
North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Eleven (11), all
in Township Seventy-seven (77) North, Range Twenty-seven (27) West of the
5th P.M., Iowa,

the said Alfred H. Koch being the highest and best bidder for said tract of real estate, and the said sum of Six Thousand Three Hundred Twenty & no/100 (\$6,320.00) Dollars being the highest and best offer said Referee was able to get for said real estate; and

WHEREAS, on the 1st day of March 1938, said Court approved and confirmed said sale, and by Order directed said Party of the First Part to execute to the said Alfred H. Koch, Party of the Second Part, a conveyance in due form of law for said real estate so sold to the said Alfred H. Koch, as aforesaid;

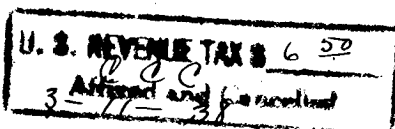
NOW, THEREFORE, This Indenture Witnesseth, that in consideration of the premises, and the said sum of Six Thousand Three Hundred Twenty & no/100 (\$6,320.00) Dollars so paid by the said Party of the Second Part, in conformity with the law and in obedience with the Orders of said Court, I, C.C. Cook, as Sole Referee, Party of the First Part, do by these premises, grant, sell and convey unto the said Alfred H. Koch, Party of the Second Part hereto, his heirs and assigns forever, said real estate described as follows, to-wit:-

South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Two (2); and
North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Eleven (11), all
in Township Seventy-seven (77) North, Range Twenty-seven (27) 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.

STATE OF IOWA, MADISON COUNTY:SS



C.C. Cook
SOLE REFEREE.

BE IT REMEMBERED: That on the 11th day of March 1938, before the undersigned, Phil R. Wilkinson, a Notary Public in and for the County of Madison and State of Iowa, personally came C.C. Cook 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.

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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, MADISON COUNTY:SS

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 12th day of March 1938.

(District Court Seal)

~~COMPARED~~
P.E. Rose
CLERK OF DISTRICT COURT IN AND FOR MADISON COUNTY, IOWA.