

Deed Record No. 72, Madison County, Iowa

H.A. Mueller, Sole Referee

#755

Filed for record the 2 day of February
A.D. 1939 at 1:10 o'clock P.M.
Pearl E. Shetterly, Recorder.

To

Fee \$.70

FILED JAN 12 1939

W.W. & Beatrice C. Bishop

P.E. Rose Clerk of District Court
Deputy

REFEREE'S DEED
(In Partition)

COMPARED

THIS INDENTURE, Made this 29th day of December A.D. 1938, between H.A. Mueller, Sole Referee, of the first part, and W.W. Bishop and Beatrice C. Bishop 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 Melvin Cgburn and Florence Cgburn, husband and wife, Verit William Cgburn and Alice Cgburn, husband and wife, were plaintiffs, and Ida Ding Cgburn, Maude Beall and Clarence Beall, her husband, Mabel Ann Boucher, and Louis Boucher, her husband, Martin Cgburn, Marion Cgburn, Hilton Arthur Cgburn, Myrtle Etta Perkins and George Perkins, her husband, Williard Cgburn and Lucille Cgburn, his wife, Minnie Baker and Walter Baker, her husband, H. A. Mueller, Administrator of the estate of Ida Dings Cgburn, deceased, Harold W. Dings and Samuel E. Dings, were defendants, the said party of the first part was on the 2nd day of October 1935, duly appointed by said Court as Sole Referee to make partition of the following described real estate, to-wit:

South 60 acres of the West Half of the Southeast Quarter of Section 27, Township 75 North, Range 26; West Half of the Southeast Quarter of the Southeast Quarter of Section 27, Township 75 North, Range 26; and the North 23 acres of the East Half of the Northeast Quarter, Section 34, Township 75 North, Range 26, (except therefrom 3 acres in the Northeast part thereof) all West of the 5th P.M., Madison County, Iowa;

a better description of which is as follows, to-wit:

South 3/4 of the West Half of the Southeast Quarter and the West Half of the Southeast Quarter of the Southeast Quarter of Section 27; and the North 23 acres of the Northeast Quarter of the Northeast Quarter excepting the North 3 acres of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 34, all in Township 75 North, Range 26, West of the 5th P.M., Madison County, Iowa;

and it appearing to the Court that the said property could not be equitably divided into the requisite number of shares, The Court caused an order to be entered directing said Referee to sell said premises on the following terms: at either public or private sale and if at private sale to be sold at not less than the appraised value, appointing Carl Downs, Charles Kinnard and Frank Picken for the purpose of appraising said property.

AND, WHEREAS, in pursuance to such Order ~~of~~ the Clerk of the District Court of Madison County, Iowa, issued an appraisement to the said Carl Downs, Charles Kinnard, and Frank Picken for the purpose of appraising said property.

AND, WHEREAS, in pursuance of said appraisement the said appraisers did appraise said property and return their appraisement thereon showing an appraisement of same in the amount of \$ 1300.00

AND, WHEREAS, the said Sole Referee, in pursuance to said Order and after the return of appraisement sold said property at private sale to W.W. Bishop and Beatrice C. Bishop for the sum of \$1600, \$500 thereof being paid upon execution of the contract of sale and the balance of \$1100 to be paid immediately upon delivery of referee's deed with a merchantable, marketable title and abstract showing property clear of all liens.

AND, WHEREAS, on the 27th day of June, 1936, the said Court approved and confirmed said sale, and by order directed the said party of the first part to execute to the said

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party of the second part a conveyance in due form of law for the said parcel of land so sold to him as aforesaid upon ^{the} payment of the balance of the purchase price of said property.

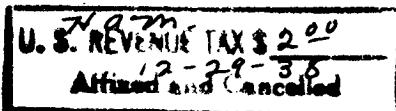
AND, WHEREAS, the said W.W. Bishop and Beatrice C. Bishop have paid to the party of the first part the balance remaining due and unpaid on said contract and having now received payment in full of the purchase price of said property.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That in consideration of the premises and of said sum of \$1600. so offered and paid by parties of the second part and in conformity with the law and in obedience to the orders of said Court, I, H.A. Mueller, Sole Referee, party of the first part, do by these presents grant, sell and convey unto the said W.W. Bishop and Beatrice C. Bishop, parties of the second part, and to their heirs and assigns, the said parcel of land described as follows, to-wit:

South 3/4 of the West Half of the Southeast Quarter and the West Half of the Southeast Quarter of the Southeast Quarter of Section 27; and the North 23 acres of the Northeast Quarter of the Northeast Quarter excepting the North 3 acres of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 34, all in Township 75 North, Range 26, West of the 5th P.M., Madison County, Iowa;

lying and being situated in the County of Madison and State of Iowa. To have and to hold the same to the said W.W. Bishop and Beatrice C. Bishop 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, I have hereunto set my hand the date first above written.



H. A. Mueller
Sole Referee

STATE OF IOWA, MADISON COUNTY)ss:

BE IT REMEMBERED that on the 29th day of December, 1936, before the undersigned, a Notary public in and for said County, personally came H. A. Mueller, 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 the instrument to be his voluntary act and deed, as Sole Referee, for the purposes therein mentioned.

WITNESS my hand and official seal the day and year above written.

(Notarial Seal)

C.C. Williams
Notary Public, Madison County, Iowa

STATE OF IOWA, MADISON COUNTY)ss;

I, F.E. Rose, Clerk of the District Court of said County, do hereby certify that the sale of lands described in the within conveyance to W.W. Bishop and Beatrice C. Bishop was reported to the District Court aforesaid on the 16th day of June, 1936, and ^{that} on the 2nd day of July, 1936, said sale was approved by said Court, by order and decree confirming same.

WITNESS my hand and the seal of said Court this 31st day of December A.D. 1936.

(District Court Seal)

F.E. Rose
Clerk of District Court -----Deputy

COMPARED