

Deed Record No. 72, Madison County, Iowa

A.D.Fletcher

#778

Filed for record the 3 day of
Feb. A.D.1939 at 1:37 o'clock
P.M.

To

Fee \$.80 ✓

Edna Preston, & heirs, et al

Pearl E. Shetterly, Recorder

SPECIAL WARRANTY DEED OF TRUST

KNOW ALL MEN BY THESE PRESENTS:

That I, A.D. FLETCHER, of the County of Madison and State of Iowa, in consideration of the love and affection which I have for my daughter EDNA PRESTON of the County of Los Angeles, State of California, together with a valuable consideration, receipt of which is hereby acknowledged from W.D.FLETCHER, do hereby grant and convey the following described premises situated in the County of Madison, State of Iowa, to-wit:

The South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section One (1), Township Seventy-six North (76 N.) of Range Twenty-seven West (27 W.) of the 5th P.M.,

unto myself and the said W.D.Fletcher as tenants in common during my lifetime, with remainder over unto Clarence Dunn, of Van Meter, Dallas County, Iowa, in trust for the said Edna Preston during her lifetime, with full power to my said trustee to control, manage, lease, mortgage or sell the said premises as in his best judgment he considers to be for the best interest of my said daughter, and to control, manage invest and reinvest the proceeds thereof, as in his best judgment he considers same to be for the best interests of my said daughter, including the right, until said premises have been sold, to permit her and her family personally to occupy said premises and farm the same so long as he and they may mutually agree, providing that for any such period during which they so occupy said premises they shall pay to said trustee an amount sufficient to cover the taxes due upon said premises as the same become due, to properly maintain the said premises and the buildings, fences and other improvements upon the same, to keep the said buildings and other improvements on said premises adequately insured in some reputable and reliable insurance company, and to pay the reasonable expense of administration of this trust estate, including the reasonable compensation for the services of said trustee, and with full power and authority to said trustee, in event of illness of my said daughter, or some member or members of her

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family, or some other similar emergency, or in case the income alone of said trust estate should prove inadequate for the reasonable support, comfort and needs of my said daughter and her family, to use for the purposes for which this trust is made, such portion of the principal part of said trust estate as in the best judgment of said trustee is necessary for such purposes to the end that my said daughter and her family shall not suffer want either in sickness or health insofar as this trust estate may permit, all subject to the express limitation that none of said premises or any other property or funds into which the same may be converted or the proceeds invested or reinvested, and none of the rents, issues, profits or income generally, of said trust estate shall be used for any other purpose than the support, comfort and benefit of my said daughter and her family, and the same shall not be used for the payment or settlement of any indebtedness or alleged indebtedness which my said daughter may have incurred or may hereafter incur, and shall not be liable to attachment, execution, garnishment or levy of any kind under process of law or otherwise on account of any such indebtedness.

And upon the death of my said daughter Edna Preston, I direct, authorize and empower my said trustee to pay the necessary and reasonable expenses of the last illness and funeral of my said daughter insofar as the said trust estate will permit, and in event there shall be any of said trust estate remaining, after complying with the foregoing provisions and paying the necessary and reasonable expenses of administering this trust, including a reasonable compensation for the services of said trustee, such surplus of said trust estate so remaining shall be conveyed, transferred, assigned and paid over by said trustee to the direct descendants of my said daughter, per stirpes, that is in the same manner as they would take under the present laws of intestacy in force in this state.

And I hereby covenant with the said grantees that I hold said premises by good and perfect title; that I have good right and lawful authority to grant and convey the same; and that they are free and clear of all liens and incumbrances whatsoever.

And I covenant to WARRANT AND DEFEND the said premises against the lawful claims of all persons whomsoever.

Signed in duplicate this 4th day of September, 1937.

A.D.Fletcher

State of Iowa, County of Madison, SS:

On this 4th day of September, 1937, before me, the undersigned, a Notary Public within and for Madison County, State of Iowa, personally came A.D.Fletcher, personally to me known to be the identical person whose name is affixed to the foregoing instrument as grantor, and acknowledged the execution of the same to be his voluntary act and deed for the purposes therein expressed.

In testimony whereof, I have hereunto subscribed my name and affixed my seal on the date last above written.

(District Court Seal)

COMPARED

P.E.Rose

Clerk of Court in and for said County and State.