*1160

Agreement between the Heirs) Filed for Record Jan. 26th A.D. 1912 at 11.00 o'clock A.M.
of Jefferson S. Polk, Deceased.) Agreement(George Hill Recorder.
By Daisy Hill Deputy.

TO JULIA H. POLK, WIDOW OF JEFFERSON S. POLK, DECEASED, AND TO MILDRED POLK HIPPEE, SARAH J. MAISH, HARRY H. POLK, JOHN S. POLK, MAUDE H. POLK AND JEFFERSON H. POLK, DEVISEES UNDER THE WILL OF THE SAID DECEDENT.

It is provided in paragraph (b) of Item XI of the will of Jefferson S. Polk, Deceased, as follows:- "My said executors are directed to divide the entire remainder of my estate, both real and personal (except the shares of the capital stock of the Des Moines City Railway Company, both common and perferred, the shares of the capital stock of the Inter-Urban Railway Company, the shares of the capital stock of the Red Rock Coal & Mining Company, and the shares of the capital stock of the Union Improvement Company, owned by me at my decease), into five equal parts, as nearly as may be, such division into parts to be submitted to and approved by a majority of the parties interested before a final division is made."
Pursuant to the foregoing provision of the said will, the undersigned have divided the real estate of the said estate into five equal parts as nearly as may be, which parts are designated as share No. 1, share No. 2, share No. 3, share No. 4 and share No. 5. The real estate included in each of the said shares is as follows:-

SHARE NO. 1,

Lots 5,6,7,8,9,10,11 of the official plat of lots 4 and 5, block 45, J. Lyon's addition to the town of Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa. Lots 2 and 3, block 60, Campbell & McMullen's addition to the town of Fort Des Moines, Iowa, now included in and forming a part of the city of Des Moines, Iowa; also lot 3 of official plat of lots 1, 2 and 3 in block 3, Holcomb's addition to the town of Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa; also lot 3 of the official plat of the southwest quarter of section 4, township 78, range 24, west of the 5th P.M. now included in the city of Des Moines, Iowa. Lot 2 of the official plat of lots 4 and 5 in block "K", Griffith's addition No. 2 to town of east Fort Des Moines, and lot 12 in block 20 East Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
The west seventy feet of lot 14, and lots 17, 20, 47 and 49 in Polk & Hubbell Park, now included in and forming a part of the city of Des Moines, Iowa.
Lots 69, 70, 71 and 72, block 6, Ashbrook Place, being an official plat of the west one-half of the southwest quarter of section 36, township 79, range 24, west of the 5th P.M., now included in and forming a part of the city of Des Moines, Iowa.
Lot 28, and the east 20' of lot 27, block 11, Ashbrook Place, being an official plat of the west one-half of the southwest one-quarter of section 36, township 79, range 24, west of 5th P.M., now included in and forming a part of the city of Des Moines, Iowa.
Lots 44, 45, 46, 47 and 48, Block Six (6) Ashbrook Place, being an official plat of the west one-half of the Southwest quarter of Section 36, township 79, range 24, west of 5th P.M. now included in and forming a part of the city of Des Moines, Iowa.
The north 54' of lot 4, block 1, of the official plat of lot 1, of Vorse's sub-division of lots 3, 4, 5, 12 and 13, of Deanis outlots adjacent to the town of Fort Des Moines, now included in the city of Des Moines, Iowa. Lots 13 and 14 in block 4, Ashbrook Place being an official plat of the west one-half of the southwest quarter of section 36, township 79, range 24, west of the 5th P.M. now included in and forming a part of the city of Des Moines, Iowa. Lots 29, 30, 31 and 32, block 8, Ashbrook Place, being an official plat of the west one-half of the southwest quarter of section 36, township 79, range 24, west of the 5th P.M., now included in and forming a part of the city of Des Moines, Iowa. The east 10' of lot 25, lot 26, and the west 5' of lot 27, block 11, Ashbrook Place, being an official plat of the west one-half of the southwest quarter of section 36, township 79, range 24, west of the 5th P.M., now included in and forming a part of the city of Des Moines, Iowa.
All of lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 16, 17, 18, 26, 27, 28, 29, 30, 31, 40, 41, 42, 43 and all except right of way of Des Moines City Railway Company, of lots 11, 12, 13, 14, 15, 32, 33, 34, 35, 36, 37, 38 and 39, Kennedy's addition to Lake Park, now included in and forming a part of the city of Des Moines, Iowa; and lots 1, 2, 3, 4, 5, 6, 7 8, 9 and 10 Weston's subdivision of lot 6 of official plat of lots 4 and 7, Thompson's estate in section 27, township 79, range 24, west 5th P.M., Iowa, lying and being in the city of Des Moines, Iowa. Lot 155, block 8, Lake Park, now included in and forming a part of the city of Des Moines, Iowa. Lot 17, block 14, Central Place, now included in and forming a part of the city of Des Moines, Iowa. Lot 17, block 10, Central Place, now included in and forming a part of the city of Des Moines, Iowa. Lot 7, block 5, Central Place, now included in and forming a part of the city of Des Moines, Iowa.
The east 102' of lot 6, block 14, Hall's addition to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa. Lot 2, Pickle's subdivision of lots 9, 10, 11, 12 and part of lot 8, block 12, Hall's addition to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa. Lot 13, Pickle's subdivision of lots 9, 10, 11, 12 and part of lot 8, block 12, Hall's addition to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
Lot 15, Pickle's subdivision of lots 9, 10, 11, 12 and part of lot 8, block 12 Hall's addition to Fort Des Moines, now included in and forming part of the city of Des Moines Iowa. Lots 2, 3, 4, 5, 6, 8, 9 and 10, McClure's subdivision of lot 13,block 12, Hall's addition to Fort Des Moines, now included in and forming part of the city of Des Moines Iowa. Lot 1 of the official plat of lots 5 and 6, block 12, Hall's addition to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
Lots 3, 4, and 5 of the official plat of lots 5 and 6, block 12, Hall's addition to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
Lots 348 and 390, Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa. Lot 391, Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa, and lot 419 of the subdivision of block "A", Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa. Lots 65, 66, 67 and 68, block 7: and lots 60, 61, 62 and 63, block 14: and lots 7, 8, 9, 10 and 11, block 2; and lots 17, 18, 19, 20 and 21, block 14; and lots 5, 6, 7, and 8, block 7;

and lots 61, 62, 63 and 64, block 13, Ashbrook Place and the South 50' feet of the north 150 feet of lot "C" ; in block One (1) Ashbrook Place, O.P. of certain lots in Ashbrook Place being an official plat of the west one-half of the southwest one-quarter of section 36, township 79, range 24, west of the 5th P.M. now included in and forming a part of the city of Des Moines, Iowa. Lots 34, 35, 36, 37, 38 and 39 and lot 149, Union Land Company's First Addition to the town of Spirit Lake, Dickinson County, Iowa.
The North-one-half of the northwest one-quarter, and the north one-half of the southwest one-quarter of the northwest one-quarter of section 25, township 77, range 20; the east one-half of the northeast one-quarter, and that part of the northeast one-quarter of the southeast one-quarter lying north of the Wabash Railway of Section 26, township 77, range 20, west of the 5th P.M., Marion County, Iowa, containing 190 acres more or less.
The east one-half of the northeast one-quarter, except one acre school of section 15, and the southeast one-quarter of the southeast one-quarter of section 10, all in township 78, range 23, west of the 5th P.M. Polk County, Iowa, containing 119 acres more or less.
The east one-half of the northeast one-quarter, except railway, of section 6, township 76, range 19, west of the 5th P.M., Marion County, Iowa, containing 73 acres more or less.

SHARE NO. 2.

Lot 3 in block 37, J. Lyon's addition to the town of Fort Des Moines, now a part of the city of Des Moines, Iowa. Lots 7, 8, 9, and 10 of the official plat of lots 6, 7 and 8, block 37, J. Lyon's addition to the town of Fort Des Moines, now a part of the city of Des Moines, Iowa; also the two story brick tenement houses located on lots 4, 5 & 6 of the official plat of lots 6, 7, & 8, block 37, J. Lyon's addition to the town of Fort Des Moines, now a part of the city of Des Moines, Iowa. Lot 6 of official plat of block 36 J. Lyon's addition and block 5 of J.M. Griffith's subdivision of lot 5, Pursley estate to Fort Des Moines, now a part of the city of Des Moines, Iowa. Lot 6, block "A", Commissioners' Addition to town of Fort Des Moines, now a part of the city of Des Moines, Iowa.
The west 20' of lot 2 and the east 20' of lot 3, block 8, East Fort Des Moines; now a part of the city of Des Moines, Iowa. Lots 15, 46, 48, 50 and 51, Polk & Hubbell Park, now in and forming a part of the city of Des Moines, Iowa.
The south one-half of lot 109, and 110, block 4, Lake Park, now included in and forming a part of the city of Des Moines, Iowa. The east 169.96' of lot 8 of the official plat of lot 14 of official plat of southwest quarter of section 5, township 78, range 24, west of the 5th P.M. Iowa, now included in the city of Des Moines, Iowa.
Lot 42, block 1,Lake Park, now included in and forming a part of the city of Des Moines, Iowa. Lots 149, 150 and 151 lying South of right of way of Des Moines City Railway in block 8, Lake Park, now included in and forming a part of the city of Des Moines, Iowa.
That part of lots 182 and 183 lying south of right of way of the Des Moines City Railway in Block 8, Lake Park; now included in and forming a part of the city of Des Moines, Iowa.
Lots 8, 9, 11 and that part of lot 10 lying north of right of way of the Des Moines City Railway, block 2; lot 8, and that part of lot 9 lying north of right of way of Des Moines City Railway, block 3; lots 1,2, 3, 4, 5, except right of way of Des Moines City Railway Company and lots 6, 7, 8, 9 and north 50' of lots 10 and 11, block 5; lots 1,2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 except right of way of Des Moines City Railway, and north 50' of lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, block 6; all of blocks 7 and 8, except right of way of Des Moines City Railway, White's Riverview addition, now included in the City of Des Moines, Iowa. Lot 177, block 7, Lake Park, now included in and forming a part of the city of Des Moines, Iowa. Lot 3, block 3: lot 5, block 22 and lots 19 and 20, block 5, Central Place, now included in the city of Des Moines, Iowa. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, block 2; lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 13, block 3, Old Orchard Beach Addition to the city of Des Moines, Iowa.
Lots 11, 12, 13, and 14, block 14; lots 2 and 3, block 13; the south 121½' Lot 3, block 12; the east one-half of Lot 1, block 1, all in Hall's Addition to Fort Des Moines, now included in and forming a part of the city of Des Moines; and lot 22 of Polk & Hubbell's plat of lot 2 of the official plat of the east one-half of the northeast quarter of section 4, township 78, range 24, and the west one-half of the northwest quarter of section 3, township 78, range 24, west of the 5th P.M. south of Short Street, and west of Bluff Street now forming a part of the city of Des Moines, Iowa.
That part of lots 71, 72, 73, 74, 75, 76 and 77 as lies west of right of way of the Des Moines City Railway, Twining's addition, now in the city of Des Moines, Iowa.
Lots 333 and 334, Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa.
Lots 384 and 385 Polk & Hubbell's addition to Capital Park; lot 418 of subdivision of block "A", and lot 442, Polk & Hubbell's addition to Capital Park; lot 266, Capital Park; lot 358 and south 10' of lot 359, Polk & Hubbell's addition to Capital Park; lot 367 Polk & Hubbell's addition to Capital Park; and lot 368 Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa.
Lots 5, 6, 7, 8 and 9, block 12, Ashbrook Place; lots 46, 47, 48, 49 and 50, block 14, Ashbrook Place; lots 5, 6, 7, & 8, block 8, Ashbrook Place; lots 17, 18, 19 and 20, block 8, Ashbrook Place; lots 32, 33, 34 and 35, block 13, Ashbrook Place; lots 11, 12, 13 and 14 block 1, Ashbrook Place; lots 17, 18, 19 and 20, block 6, Ashbrook Place; lots 47, 48, 49, 50,51, 52 and 53, block 8, Ashbrook Place; lots 13 and 14, block 10, Ashbrook Place; lots 16, 17, 18 and 19, block 13, Ashbrook Place; lots 23, 24, 25, 26 and 27, block 12, Ashbrook Place; lots 21, 22, 23 and 24, block 2, Ashbrook Place, and lots 5, 6, 7 and 8, block 11, Ashbrook Place; being an official plat of the west one-half of the southwest quarter of section 36, township 79, range 24, west of the 5th P.M., now included in and forming a part of the city of Des Moines, Iowa.
Lots 28, 29, 30, 31, 32 and 33 Union Land Company's First addition to the town of Spirit Lake, Dickinson County, Iowa.
Lots 5 and 6, block 121, Atlantic, Cass County, Iowa.
The west one-half of the southeast quarter; the southwest one-quarter of the northeast one-quarter; the south one-half of the northwest one-quarter of the northeast one-quarter; the east one-half of the southwest one-quarter, north of Des Moines River; the southeast one-quarter of the northwest one-quarter; the south one-half of the northeast one-quarter of the northwest one-quarter; the east two-thirds of the west one-half of the southwest one-quarter north of Des Moines River; the east two-thirds of the southwest one-quarter of the northwest one-quarter; the east two-thirds of the south one-half of the northwest one-quarter of the northwest quarter; all in section 26, township 77, range 20; west of the 5th P.M. Marion County, Iowa, Containing 335 acres more or less, exclusive of right of way of Wabash

railway. The north one-half of the south-east one-quarter of section 19; the north-west one-quarter of the south-west one-quarter of section 20; That part of Lot 3 in section 20 tast lies West of the road running north and south through said lot 3; all in township 100, range 36, west of the 5th P.M. Dickinson County, Iowa; containing 143;22 acres more or less.

The middle one-third lying between the east one-third and the west one-third of the following described property, to-wit: Government lots 1, 2, 3, 4 & 5, the northeast one-quarter of the northwest one-quarter, and the northwest one-quarter of the north-east one-quarter and the southeast one-quarter of the northeast one-quarter of section 23; and lot 1 of section 26, all in township 78, range 23, west of the 5th P.M., Polk County, Iowa; containing 110 acres more or less, exclusive of the right of way of Wabash Railway.

The undivided one-third of the following described property to-wit: Lots 1, 2, 3, 4, 5, 6, 7 and 22 of Marble Place; being an official plat of lots 4 and 5 in section 17; and lot 1 in section 20; all in township 100, range 36, west of the 5th P.M. Dickinson County, Iowa. That part of lots 3 and 4, section 20, and lots 3 and 4 of Auditor's plat of lots 2 and 5 in section 20, all in township 100, range 36, as lies east of the public highway running north and south through said lots. Commencing at the intersection of the center of the public highway running north and south through section 17, township 100, range 36, with the outlet from south Hottes Lake into Spirit Lake, thence running south along the center line of said highway to a point due west of the northwest corner of lot 1, Marble Place; thence east to the west shore of Spirit Lake at low water mark; thence north along the west shore of Spirit Lake at low water mark to the center of the outlet from south Hottes Lake above mentioned; thence west along the center line of said outlet to place of beginning.

SHARE NO. 3.

Lots 7, 8, 9, 10, 11, 12, 13, and 14, all except the south 17' of lot 15 of the official plat of block 36, J. Lyon's addition, and block 5 of J.M. Griffith's subdivision of lot 5, Purseley estate to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.

Lots 19, 20, 21 and 22 of the official plat of block 36 J. Lyon's addition, and block 5 of J.M. Griffith's subdivision of lot 5, Pursley estate to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa; also the two story brick apartment houses located on lots 24, 25 and 26 of the official plat of block 36, J. Lyon's addition, and block 5, of J.M. Griffith's subdivision of lot 5 Pursley estate to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.

Lot 5 of the official plat of the southwest one-quarter of section 4, township 78, range 24, west of the 5th P.M. now included in the city of Des Moines, Iowa.

Lots 2 and 6 of Young Men's Christian Association official plat of the northwest one-quarter of southeast one-quarter of section 4, township 78, range 24, west of the 5th P.M. Iowa, now included in and forming a part of the city of Des Moines, Iowa.

(Note: Include in deed right to use one-half of brick wall on east side above described premises.)

That part of lots 147 and 148 lying north of the right of way of Des Moines City Railway in block 5, Lake Park, now included in and forming a part of the city of Des Moines Iowa. Lot 2, block 13, Thomas Heights 1st addition; being an official plat of all of the southeast one-quarter and the southwest one-quarter of the southeast one-quarter of the northeast one-quarter of section 28, township 78, range 24, lying east of the right of way of the Inter-Urban Railway.

Lot 187 Mann's Second addition to Lake Park; now included in and forming a part of the city of Des Moines, Iowa.

Lots 1, 2, 3, 4, 5 and 24, except right of way of Des Moines City Railway; and lots 20, 22, 23, 28, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 60, 61, 62, 69, 70, 78, 79, 89, 90, 91 and 95 J.F. Kennedy's Second Addition to Lake Park, now included in and forming a part of the city of Des Moines, Iowa.

Lots 193, 194 and 195 except right of way of the Des Moines City Railway, of Mann's Second Addition to Lake Park, now included in and forming a part of the city of Des Moines, Iowa. Lot 111, block 5, Lake Park, now included in and forming a part of the city of Des Moines, Iowa. Lots 147 and 148, Polk Place, being an official plat of the south three-quarters of the west one-half of the southeast one-quarter, lying north of Grand Avenue all in Section 1, township 78, range 25, west of the 5th P.M. Iowa, now included in and forming a part of the city of Des Moines, Iowa.

Lot 3, block 2, and lots 14 and 16 in block 5, all in Central Place, now in and forming a part of the city of Des Moines, Iowa.

Lots 353, 373, 374, 436 and 454, Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa.

Lots 16, 17, 18, 19, 20 and 21, Union Land Company's First Addition to the twon of Spirit Lake, Dickinson County, Iowa. Lot 122, Union Land Company's First addition to the town of Spirit Lake, Dickinson County, Iowa.

The Southeast one-quarter of the southwest one-quarter and the southwest one-quarter of the southeast one-quarter of section 4, township 99, range 36, west of the 5th P.M. Dickinson County, Iowa, containing 80 acres more or less.

Lot 6, United States Survey southwest one-quarter south of river, and lot 7, United States Survey, southeast one-quarter south of river in section 15 and lot 3 United States Survey, north one-half west of river in section 22; all in township 78, range 23, west of the 5th P.M., Polk County, Iowa, containing 125 acres more or less.

Commencing at a point in the middle of the highway, running north and south near the west shore of Spirit Lake, through section 17, township 100, range 36, which point is due west of the southwest corner of lot 8, Marble Place, in said section 17; thence run ning in a southwesterly direction through the middle of a slough (which slough extends from Marble Lake to or near said above named point) to Marble Lake at low water mark of said Lake; thence northwesterly along the north shore of Marble Lake at low water mark to a point where the section line between sections 17 and 18, township 100, range 36, intersects with the north shore of said Marble Lake; thence North along said section line to a point where said section line ~~to a point where said section line~~ intersects with the south shore of South Hottes Lake at low water mark; thence northeasterly along the south and east shores of South Hottes Lake at low water mark, to the outlet of said South Hottes Lake into Spirit Lake; thence east to a point in the

middle of the highway above mentioned; thence south along the center of said highway to the place of beginning containing 36.74 acres, more or less.
The west one-third of the following described property to-wit: Government lots 1, 2, 3, 4 and 5; the northeast one-quarter of the northwest one-quarter; the southeast one-quarter of northeast one-quarter, and the northwest one-quarter of the northeast one-quarter of section 23, and lot 1 of section 26, all in township 78, range 23, west of the 5th P.M. Polk County, Iowa, containing 110 acres more or less, exclusive of right of way Wabash Railway. The undivided one-third of the following described property to-wit:
Lots 1, 2, 3, 4, 5, 6, 7, and 22 of Marble Place; being an official plat of lots 4 and 5 in section 17, and lot 1 in section 20, all in township 100, range 36, west of the 5th P.M. Dickinson County, Iowa. That part of lots 3 and 4, section 20, and lots 3 and 4 of Auditor's plat of lots 2 and 5 in section 20 all in township 100, range 36, as lies east of the public highway running north and south through said lots. Commencing at the intersection of the center of the public highway running north and south through section 17, township 100, range 36, with the outlet from South Hottes Lake into Spirit Lake; thence running south along the center line of said highway to a point due west of the northwest corner of lot 1, Marble Place; thence East to the west shore of Spirit Lake at low water mark; thence north along the west shore of Spirit Lake at low water mark to the center of the outlet from South Hottes Lake above mentioned; thence west along the center line of said outlet to place of beginning.

SHARE NO. 4.

Lot 3, block 26, Campbell & McMullen's addition to the town of Fort Des Moines; now included in and forming a part of the city of Des Moines, Iowa.
The east 36' of lot 5, block 37, J. Lyon's addition to the town of Fort Des Moines, now in and forming a part of the city of Des Moines, Iowa.
Lots 1, 2, 3 and 4 of the official plat of lot 6, block 46, J. Lyon's addition to the town of Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa. The south one-third of lot 4, block 21, town of Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
(Note: Include in deed one-half of brick wall on north side of above described premises).
Lot 7 and the south 18' of lot 8, block 3, Bird's addition to the town of Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
Lots 133 and 134 Rutherford Heights, now in and forming a part of the city of Des Moines Iowa. The east one-half of lot 19, block 55, Stewart's addition to the city of Des Moines Iowa. Lots 29, 30, 31 and 32, block 6, Ashbrook Place, being an official plat of the west one-half of the southwest one quarter section 36, township 79, range 24, west of the 5th P.M. now included in and forming a part of the city of Des Moines, Iowa.
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, block "K", and lots "P" and "Q" Thomas Heights; being an official plat of all that part of the southeast one-quarter and the south one-half of the southwest one-quarter of the northeast one-quarter, and the southwest one-quarter of the southeast one-quarter of the northeast one-quarter in section 28, township 78, range 24, west of the 5th P.M. Iowa, that lies west of the right of way of the Inter-Urban Railway.
Lot 420, subdivision of block A, Polk & hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa.
Lot 447 Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa. Lot 311, Capital Park, now included in and forming a part of the city of Des Moines, Iowa. Lot 457 Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa.
Lots 1, 2, 3, 4, and 5, block 14, Ashbrook Place, being an official plat of the west one-half of the southwest one-quarter section 36, township 79, range 24, west of the 5th P.M., now included in and forming a part of the city of Des Moines, Iowa.
Lots 35, 36, 37 and 38, block 1, Ashbrook Place, being an official plat of the west one-half of the southwest one-quarter section 36, township 79, range 24, west of the 5th P.M., now included in and forming a part of the city of Des Moines, Iowa.
Lots 23, 24, 25 and 26, in block 1, and lots 5, 6, 7 and 8 in block 6, Ashbrook Place, being an official plat of the west one-half of the southwest one-quarter of section 36, township 79, range 24, west of the 5th P.M. now included in and forming a part of the city of Des Moines, Iowa. Lots 11, 12, 13, 14, 15, 84, 150 and 151, Union Land Company's First Addition to the town of Spirit Lake, Dickinson County, Iowa.
The south 15 acres of the northeast one-quarter of the southeast one-quarter; the south one-half of the southeast one-quarter, and the south one-half of the southeast one-quarter of the southwest one-quarter in section 23; the east two-thirds of the north one-half of the northwest one-quarter of the northwest one-quarter; the north one-half of the northeast one-quarter of the northwest one-quarter and the North one-half of the northwest one-quarter of the northeast one-quarter in section 26; all in township 77, range 20, west of the 5th P.M., Marion County, Iowa; containing 168.33 acres more or less.
The southwest one-quarter of section 13, township 113, range 79, Sully County, South Dakota containing 160 acres more or less.
The northwest one-quarter of the southeast one-quarter; the southwest one-quarter of the northeast one-quarter; the west one-half of the southeast one-quarter of the northeast one-quarter; the east one-half of the northwest one-quarter of the northeast one-quarter and the northeast one-quarter of the northeast one-quarter of section 3, and the northwest one-quarter of the northwest one-quarter of the northwest one-quarter of section 2, all in township 76, range 20, west of 5th P.M. Marion County, Iowa, containing 170 acres more or less. The east one-third of the following described property, to-wit: Government lots 1, 2, 3, 4 and 5; the northeast one-quarter of the northwest one-quarter; the northwest one-quarter of the northeast one-quarter and the southeast one-quarter of the northeast one-quarter of Section 23, and lot 1, section 26, all in township 78, range 23, west of the 5th P.M. Polk County, Iowa, containing 110 acres more or less, exclusive of right of way of Wabash Railway.
The undivided one-third of the following described property to-wit:
Lots 1, 2, 3, 4, 5, 6, 7, and 22 Marble Place; being an official plat of lots 4 and 5 in section 17, and lot 1 in section 20; all in township 100, range 36, west of the 5th P.M. Dickinson County, Iowa. That part of lots 3 and 4, section 20 and lots 3 and 4 of Auditor's plat of lots 2 and 5 in section 20, all in township 100, range 36, as lies east of the public highway running north and south through said lots. Commencing at the intersection of the center of the public highway running north and south through section 17, township

100, range 36, with the outlet from South Hottes Lake into Spirit Lake, thence running south along the center line of said highway to a point due west of the northwest corner of lot 1, Marble Place; thence east to the west shore of Spirit Lake at low water mark; thence north along the west shore of Spirit Lake at low water mark to the center of the outlet from South Hottes Lake above mentioned, thence west along the center line of said outlet to place of beginning.

SHARE NO. 5.

Lots 16, 17, 18 and the south 17' of lot 15 of the official plat of block 36, J. Lyon's addition, and block 5 of J.M. Griffith's subdivision of lot 5, Pursley estate to Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
Lots 11 and 12 of the official plat of Lots 6, 7 and 8, block 37, J. Lyon's addition to the town of Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa. Lot 4, block 3, Holcomb's addition, and lot 4, block 60, Campbell & McMullen's addition to the town of Fort Des Moines, now included in and forming a part of the city of Des Moines, Iowa.
Lot 4, Coliseum Place, now in and forming a part of the city of Des Moines, Iowa.
The east one-half of lots 1 and 2, block 5, Bird's addition to the town of Fort Des-Moines, now included in and forming a part of the city of Des Moines, Iowa.
Lot 1, block 51, Stewart's addition to the city of Des Moines, Iowa.
Lot 24 and the west 15' of lot 25, block 11, Ashbrook Place being an official plat of the west one-half of the southwest one-quarter section 36, township 79, range 24, west of 5th P.M. now included in and forming a part of the city of Des Moines, Iowa.
The east 110' of lot 10, block 23, town of De Moine, now included in and forming a part of the city of Des Moines, Iowa.
Lots 110 and 111, First plat of Clifton Heights, now included in and forming a part of the city of Des Moines, Iowa.
Lots 57, 58, 59 and 60, block 6, Ashbrook Place, being an official plat of the west one-half of the southwest one-quarter Section 36, township 79, range 24, west of the 5th P.M., now included in and forming a part of the city of Des Moines, Iowa.
Lot 145, Polk Place, being an official plat of the south three-fourths of the west one-half of the southeast one-quarter lying north of Grand Avenue; all in section 1, township 78, range 25, west of the 5th P.M. Iowa, now included in and forming a part of the city of Des Moines, Iowa. Lot 146, Polk Place, being an official plat of the south three-fourths of the west one-half of the southeast one-quarter lying north of Grand Avenue; all in section 1, township 78, range 25, west of the 5th P.M. Iowa, now included in and forming a part of the city of Des Moines, Iowa.
Lot 7 of the official plat of lots 5 and 6, block 12, Hall's addition to Fort Des Moines, Iowa, now included in and forming a part of the city of Des Moines, Iowa.
Lot 378, Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa.
Lot 344, Polk & Hubbell's addition to Capital Park, now included in and forming a part of the city of Des Moines, Iowa.
Lots 17, 18, 19 and 20, block 7; lots 29, 30, 31 and 32, block 7; lots 37, 38, 39 and 40, block 7; lots 53, 54, 55 and 56, block 7, Ashbrook Place, being an official plat of the west one-half of the southwest one-quarter section 36, township 79, range 24, west of the 5th P.M. now included in and forming a part of the city of Des Moines, Iowa.
Lots 7, 8, 9 and 10, Union Land Company's First Addition to town of Spirit Lake, Dickinson County, Iowa. Lot 2, Union Land Company's First Addition to the town of Spirit Lake, Dickinson County, Iowa. Lot 4, Allen's Addition to Earlham, Madison County, Iowa. Government lots 6, 7 and 8, the north one-half of the northeast one-quarter and the southeast one-quarter of the northeast one-quarter, except two acres cemetery, in section 35; and the west one-half of the northwest one-quarter, and the northwest fractional quarter of government lot 2 in section 36; all in township 77, range 20, west of the 5th P.M., Marion County, Iowa, containing 319 acres more or less.
The personal property is of relatively small value and will be disposed of after the division of the real estate has been completed.
The section of the will which has been quoted provides that the division is to be submitted to you and approved by a majority of the parties interested before a final division is made. It is for this purpose that this division of the real estate is submitted to you. Will you please indicate wheather the proposed division of the real estate as shown above meets with your approval?
The widow of the said decedent has heretofore file d her election to take under the will in lieu of dower, and will be entitled, when the division is made, to select the one of the shares which she perfers.
Dated this 14th day of September, A.D. 1911.

Harry H. Polk,
George B. Hippee.
Executors of the will of Jefferson S. Polk, deceased.

Each of the undersigned states that the proposed division of the real estate belonging to the estate of Jefferson S. Polk, late of Polk County, Iowa, but now deceased, as shown by the foregoing instrument, has been submitted to him or her, and is approved by him or her. Dated this 14th day of September, A.D. 1911.

Julia H. Polk. Mildred Polk Hippee.
Sarah J. Maish. Harry H. Polk.
Jne. S. Polk. Maude H. Polk.
Jefferson H. Polk,

The undersigned, Julia H. Polk, widow of the said Jefferson S. Polk, deceased, hereby selects share No. 3 as the share of the said real estate to be conveyed to her under the provisions of the will of the said decedent.
Dated this 14th day of September, A.D. 1911.

Julia H. Polk.

State of Iowa, Polk County SS:

On this 14th day of September A.D. 1911, before the undersigned, a Notary Public, personally appeared Julia H. Polk, Mildred Polk Hippee, Sarah J. Maish, Harry H. Polk, Maude H. Polk and Jefferson H. Polk, to me known to be the identical persons whose names are attached to the foregoing instrument, and who severally acknowledged the execution of same to be their voluntary act and deed.

WITNESS my hand this 14th day of September, A.D. 1911.

NOTARIAL SEAL

N.H. DeMarce.
Notary Public in and for Polk
County, Iowa.

State of Iowa, Polk County SS:

On this 16th day of September, A.D. 1911, before the undersigned, a Notary Public, personally appeared Jno. S. Polk, to me known to be the identical person whose name is attached to the foregoing instrument, and who acknowledged the execution of same to be his voluntary act and deed.

WITNESS my hand this 16th day of September. A.D. 1911.

NOTARIAL SEAL

N.H. DeMarce.
Notary Public in and for Polk
County, Iowa.

Filed for Record Jan. 27th A.D. 1912 at 10.00 o'clock A.M.