Nic Le Grand, Clerk District Court,

To

The Public.

#440

Fee $1.20 ✓

Filed for record the 29th day of January, A. D. 1934 at 1:58 o'clock P. M.

Maggie Reese Hobbs, Recorder.

CERTIFIED COPY OF APPLICATION FOR ORDER AND ORDER OF COURT

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

MARCH TERM, 1933

L. A ANDREW, SUPERINTENDENT OF BANKING OF THE STATE OF IOWA,

PLAINTIFF

VS.

AMERICAN SAVINGS BANK AND TRUST COMPANY OF DAVENPORT, IOWA,

DEFENDANT

NO. 28268

APPLICATION FOR AN ORDER TO SELL CROW FARM

Comes now L. A. Andrew, the duly appointed, acting and qualified Receiver of the above named defendant bank, and shows to the Court:

That your Receiver owns the one hundred acres of land in Madison County, Iowa, known as the Crow farm, which is more particularly described as N½ SE¼ and E½ NE¼ SW¼, Sec. 7-75-29.

That subject to the approval of this Court your Receiver has agreed to sell and convey said land unto Ira Crow of Fairfield, Iowa, for the consideration now stated, to-wit: Said purchaser will allow your Receiver to select twenty-five cows from the purchaser's herd, which cows are to be truned over to said Receiver free and clear of any incumbrance; and in addition thereto, said purchaser and his wife will execute and deliver unto said Receiver their written promissory note for the sum of $5000.00, payable March 1, 1938, bearing 5% semi-ammual interest from March 1, 1933, with the provision that $500.00 of said principal will be paid on the first day of March, 1934, and a like amount on the first day of March in the years 1935, 1936, 1937, thus leaving the balance of the principal $3000.00 to be paid on March 1, 1938, the said note to be secured by a first mortgage on the above described land and also on an adjoining one hundred acres, described as S½ SE¼ and E½ SE¼ SW¼, Sec. 7-75-29 West of the 5th P.M.

That in the opinion of your Receiver the aforesaid sale is advantageous to this receivership estate and should be approved and consummated.

The proposed contract for the said sale, and the Receiver's deed by which the land will be conveyed, in the event the Court so orders, are both herewith submitted for inspection and approval.

WHEREFORE, L. A. Andrew, Superintendent of Banking of the State of Iowa, as Receiver of the American Savings Bank and Trust Company of Davenport, Iowa, prays the Court that the aforesaid sale and contract for sale be approved and ordered consummated and all things done to that end and purpose.

EDWARD L. O'CONNOR, Attorney
General of Iowa, Counsel for
Receiver Aforesaid

By LANE & WATERMAN
A. W. HAMANN and

Jas. W. Bollinger
Assistant Counsel

STATE OF IOWA, } SS:
SCOTT COUNTY. }

I, G. D. Thompson, being first duly sworn, on oath depose and say that I am the duly designated, appointed and qualified Examiner in Charge, engaged in assisting L. A. Andrew, the Receiver of the American Savings Bank and Trust Company of Davenport, Iowa, in the performance of his duties; that I have read the foregoing application for an order, am acquaint-

ed with its contents, and that the same are true as I verily believe.

G. D. Thompson

Subscribed and sworn to before me by G. D. Thompson this 5th day of April, 1933.

Jas. W. Bollinger
Notary Public in and for
Scott County, Iowa.

(NOTARIAL SEAL)

ORDER APPROVING SALE.

On this 8th day of April, 1933, it being a day of the March, 1933 Term of this Court, and being after the hour of 9:00 o'clock A.M., there comes on for hearing the application of L. A. Andrew, Superintendent of Banking of the State of Iowa, as Receiver of the American Savings Bank and Trust Company of Davenport, Iowa, asking for an order authorizing the sale of certain real estate belonging to said receivership, hereinafter more particularly described.

Lane & Waterman, A. W. Hamann and James W. Bollinger appear as attorneys for said Receiver.

Upon examination of the files herein the Court finds that due, timely and legal notice of this hearing was given by posting pursuant to the order of this Court heretofore made, and that this Court now has jurisdiction of the subject matter and of all parties interested therein.

No one appeared and objected to the granting of the prayer of the Receiver's application, and no objections to the granting of said prayer have been filed, and the time fixed for this hearing has now passed.

Thereupon the matter proceeds to trial and upon the evidence, proofs and showings made by said Receiver, the Court finds that the sale of said real estate as set forth in the aforesaid application should be granted because it is advantageous and beneficial to the said receivership estate.

It is now therefore hereby ordered, adjudged and decreed:

That the Receiver aforesaid be and is hereby authorized to sell and convey unto Ira Crow the one hundred acres of land in Madison County, Iowa, known as the Crow farm, which is more particularly described as N½ SE¼ and E½ NE¼ SW¼, Sec. 7-75-29.

That the Receiver's Deed submitted to this Court is hereby approved and the Clerk of this Court is ordered and directed to endorse said approval upon said deed under his hand and the seal of this Court.

That the Receiver is hereby ordered and directed to deliver said deed unto the grantee, named therein, Ira Crow, upon the delivery by him to said Receiver of the twenty-five cows as described in the aforesaid application and upon the further delivery unto said Receiver of the promissory note for the principal sum of $5000.00, together with the mortgage securing said note, all as provided and described in the aforesaid application.

Wm. W. Scott
Judge

IN THE DISTRICT COURT OF THE STATE OF IOWA
WITHIN AND FOR SCOTT COUNTY

STATE OF IOWA, Scott County, ss.

I, NIC Le GRAND, Clerk of the District Court of the State of Iowa, in and for said County, do hereby certify that the above and foregoing is a true and perfect transcript of the Record Entry of Application and Order thereon approving sale of Crow Farm, in the matter of L. A. Andrew, Superintendent of Banking of the State of Iowa, Plaintiff, vs. American Savings Bank and Trust Company of Davenport, Iowa, Defendent, being in District Court Cause No. 28268, in the above entitled cause, as fully as the same remains of record or on file in my office.

And I further certify that the records of said Court are now in my custody and under my control, and that I am the proper officer to make this certificate.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at the Court House in Davenport, in said County, this 27th day of January, A. D. 1934.

(DISTRICT COURT SEAL)

COMPARED

Nic Le Grand
Clerk of District Court