within and for Madison County, Iowa,

CLERK DISTRICT COURT
SCOTT COUNTY
To
American Trust Company of
Davenport, Iowa

#527

Fee $1.50

Filed for record the 17 day of February A.D. 1944 at 2:22 o'clock P.M.

Pearl E. Shetterly, Recorder

CERTIFICATE

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

L. A. Andrew, Superintendent of Banking of the State of Iowa, Plaintiff,
Vs.
AMERICAN TRUST COMPANY OF DAVENPORT, IOWA, Defendant.

No. 29218
In Equity

APPLICATION TO CONFIRM CONVEYANCES

Comes now M. W. Ellis, Superintendent of Banking of the State of Iowa, receiver of said American Trust Company of Davenport, Iowa, and shows to the court:-

That the predecessor in office of this receiver, the Honorable D. W. Bates, heretofore submitted to this court for its approval certain contracts and agreements for the settlement of its affairs. That several orders were entered by this court approving the contracts and agreements so entered into by the said D. W. Bates. That the contracts and agreements so entered into are complicated and tedious. That in part such contracts and agreements refer to real estate located outside of Scott County, Iowa, That the contracts and agreements

referred to were approved by orders entered in this matter of date the 5th day of November, 1934, and the first day of February, 1935, and that on the 15th day of February, 1935, by order of this Court entered on the application of the said D. W. Bates, as such Receiver, he was authorized to convey certain tracts of real estate, including real estate located outside of Scott County, Iowa, to Joe Lindburg, in performance of the contracts and agreements so approved.

That the transcribing to the several counties, other than Scott County, Iowa, in which real estate so authorized to be conveyed to the said Joe Lindburg is located, would be a substantial expense to this receivership. That parties owning said real estate or contracting purchasers thereof, acquiring the same from the said Joe Lindburg, have, however, asserted an obligation on the part of this receiver to make and file such transcripts. That the sole objection on this receiver's part to the making and filing of such trascripts is the expense thereof due to the complexity and length of the applications, orders, contracts and agreements which would be a necessary part of such transcripts.

That for the purpose of avoiding such expense and complying to a reasonable extent with the requests of such owners of real estate and contracting purchasers, this receiver has agreed to submit this application to the court and to furnish and file in the several counties in which said real estate is located a certified copy of this application and such order as may be entered thereon.

This receiver shown that the contracts and agreements hereinbefore referred to and the approval thereof by this court and the conveyance of said tracts of real estate to the said Joe Lindburg have never been questioned since the time when said contracts and agreements were made, said applications submitted, the orders entered thereon and conveyances made to the said Joe Lindburg pursuant thereto. That attached hereto, marked Exhibit "A" and hereby made a part hereof, is a list of the several tracts of real estate conveyed to the said Joe Lindburg pursuant to the several orders hereinabove referred to.

Your receiver prays that the several contracts and agreements, pursuant to which the said tracts of real estate have heretofore been conveyed to the said Joe Lindburg, be now again approved and ratified and confirmed as well as the conveyances made to the said Joe Lindburg pursuant to said contracts and agreements and the orders of this court entered of date the 5th day of November, 1934, the 1st day of February, 1935, and the 15th day of February, 1935.

M. W. Ellis, Superintendent of Banking of the State of Iowa, Receiver of American Trust Company of Davenport, Iowa
By John M. Rankin, Attorney General

OTTESEN, DOERR & WEISE
Assistant Counsel.

STATE OF IOWA POLK COUNTY)ss.

I, M. W. Ellis, being duly sworn, upon my oath depose and say, that I am the Receiver in the above cause; that I am familiar with the facts alleged in the foregoing application, that I have read the foregoing application, know the contents thereof and that the statements therein contained are true as I verily believe.

M. W. ELLIS (Signed)

Subscribed and sworn to in my presence and before me by the said M. W. Ellis this 8th day of June, 1943.

Mary Flenagen (Signed)
Notary Public in and for Polk County, Iowa.
(Notarial Seal)

PART OF EXHIBIT "A"

NUMBER	NAME	LEGAL DESCRIPTION
D-2368	Frank Phillips	E½ of NE¼ and NE¼ of SE¼ of Sec. 15; the 31 2/3 acres of SE¼ of SE¼ of Sec. 10; and NW¼ of SW¼ and SW¼ of NW¼ of Sec. 14; all in Twp. 76 N. Rng. 27 W. of 5th P.M., Madison Co., Iowa

ORDER

Now on this 10th day of June, 1943, the above entitled matter comes on for hearing on the foregoing application. The court having examined said application and being fully informed in the premises finds that the prayer thereof should be granted and the contracts and

agreements referred to in said application again approved and ratified, as well as the conveyances made pursuant thereto. It is, accordingly, ordered by the court that the certain contracts and agreements heretofore made in the process of settlement and winding up of the affairs of said American Trust Company, which contracts and agreements were approved by orders entered in this matter of date the 5th day of November, 1934, and the 1st day of February, 1935, be and the same hereby are again approved and ratified and confirmed. It is further ordered that the conveyances of the real estate described in Exhibit "A" to said application, heretofore made to Joe Lindburg in accordance with the terms of said contracts and agreements and pursuant to order of this court entered on the 15th day of February, 1935, be and the same hereby are approved, ratified and confirmed and all of the orders of this court hereinbefore referred to be and the same hereby are ratified and confirmed. It is further ordered that said receiver be and he hereby is authorized to furnish certified copies of the foregoing application and of this order to be filed as transcripts in each of the several counties in which is located real estate described in said application and order.

Wm. W. Scott (Signed)
Judge.

In the District Court of the State of Iowa Within and for Scott County

STATE OF IOWA, Scott County, ss.

I, I. M. Mullen, 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 to Confirm Conveyances and Order of Court thereon, with only that part of Exhibit "A" which concerns real estate in Madison Co. Ia in the Matter of L. A. Andrew, Superintendent of Banking of the State of Iowa, Plaintiff, vs. American Trust Company of Davenport, Iowa, Defendent, being in District Court in Equity Cause No. 29218, as fully as the same remains of record or on file in my office.

I further certify that on July 13th, A.D. 1933, the Court ratified, confirmed and approved the appointment of the Honorable D. W. Bates, Superintendent of Banking of the State of Iowa, as the qualified and acting Receiver of the American Trust Company of Davenport, Iowa, as of date, midnight, June 30th, 1933, as successor to L. A. Andrew, former Superintendent of Banking of the State of Iowa, whose term of office expired at said time.

I further certify that on July 7th, A.D.,1941, the Court ratified, confirmed and approved the appointment of the Honorable M. W. Ellis, Superintendent of Banking of the State of Iowa, as the qualified and acting Receiver of the American Trust Company of Davenport, Iowa, as of date, midnight, June 30th, 1941, as successor to D. W. Bates, former Superintendent of Banking of the State of Iowa, whose term of office expired at said time, and I further certify that the said M. W. Ellis is still acting as such Receiver.

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 10th day of February, A.D. 1944.

(DISTRICT COURT SEAL) COMPARED

I. M. Mullen
Clerk of District Court
By Olive S. Clements Deputy

Carrie R. Makas