

SHERIFF'S DEED

Iowa Official Form 495

BBB

THIS INDENTURE, Made the 10th day of July, 1989, by and  
 between Paul D. Welch, Sheriff of Madison County, Iowa, of the first part,  
 and William P. Weir, Trustee  
 of the County of Madison, in the State of Iowa, of the second part, Witnesseth:

That, Whereas, By virtue of a Special execution directed to  
Paul D. Welch, then acting Sheriff of Madison County,  
 Iowa, dated the 14th day of April, A. D., 1988, and issued out of the Clerk's office of the  
 District Court of the State of Iowa, in and for Madison County, under the seal of said Court, upon  
 a judgment rendered in said District Court, on the 13th day of April, A. D., 1988  
 in favor of William P. Weir, Trustee  
 and against Hal S. Sweeney; Shirley E. Sweeney; a/k/a E. Shirley Sweeney; Max Holmes,

United States of America Acting Through The United States Dept of Agriculture,  
Farmers Home Administration and Madison County, Iowa

COMPUTED FILED NO. 88  
 BOOK 125 PAGE 716  
 89 JUL 18 AM 10:37  
 MARY E. WELTY  
 RECORDER  
 MADISON COUNTY, IOWA  
 Fee \$10.00  
 Transfer \$5.00

for the sum of Seventy two thousand six hundred sixty-seven dollars & no cents Dollars  
 (\$ 72,667.00 ) debt, costs, interest and accruing costs, the said Paul D. Welch  
Paul D. Welch, Sheriff, as aforesaid, did on the 18th day of  
April, A. D., 1988, levy on the real estate hereinafter described, as the property  
 of said Hal S. Sweeney; Shirley E. Sweeney; a/k/a E. Shirley Sweeney, defendant, to satisfy the said  
 execution, and whereas the said Paul D. Welch, Sheriff, as aforesaid, gave four  
 weeks' notice of the time and place of selling real estate under said execution, by posting up printed notices thereof at  
 three places in said Madison County, one of which was at the Court House in  
Winterset, Iowa, where the last District Court was held, and by causing two publications of said  
 notice to be made in the Winterset-Madisonian  
 a newspaper published and printed at Winterset, Iowa, in said County, before the day of sale,

And Whereas, The said Paul D. Welch as Sheriff aforesaid, in pursuance of  
 the notice of sale aforesaid in conformity to law and by virtue of said execution, did, on the 20th day of  
May, A. D., 1988, at the front door of the Court House, in Winterset,  
 Iowa, expose and offer for sale at public auction the real estate hereinafter described, and did then and there sell the  
 same at public auction to William P. Weir, Trustee

for the sum of Seventy-eight thousand Ninety-three dollars and sixty-four cents Dollars  
 he being the highest and best bidder therefor. Whereupon the said Sheriff, after receiving the said sum of money from  
 the said purchaser, made and delivered to him a certificate of sale as directed by law; and whereas, the time allowed by  
 law for redeeming said real estate having expired without any redemption thereof having been made:

Sheriff's Certificate having been assigned, transferred and conveyed unto  
The Sweeney Company, a Texas Corporation, with it's principal place of  
business in Fort Worth, Tarrant County, Texas on May 31, 1988, as per  
Assignment now on file in the office of the Madison County Sheriff, Winterset, Iowa

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That in consideration of the premises and of the said  
 sum of Seventy-eight thousand Ninety-three dollars and sixty-four Dollars (\$78,093.64 )  
 so bid and paid as aforesaid, the receipt whereof is hereby acknowledged, I, the said Paul D. Welch  
 Sheriff as aforesaid, party of the first part, do hereby sell and convey unto the said The Sweeney Company  
 party of the second part.

heirs and assigns forever, the following described real estate, situated in the County of Madison and State of Iowa (being the same real estate hereinbefore referred to, to-wit):

TRACT 1

The Northwest Quarter (NW 1/4) and the West half (W 1/2) of the Northeast Quarter (NE 1/4), of Section 11, Township 74 North, Range 26 West of the 5th P.M. Madison County, Iowa.

Which excludes the following Homestead

The South 940' of the West 940' of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 11, Township 74 North, Range 26 West of the 5th P.M. Madison County, Iowa.

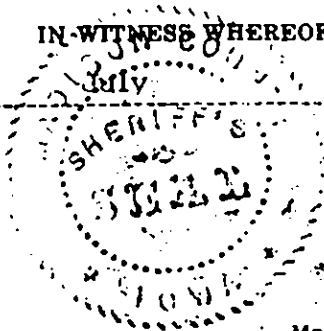
Said sale recorded in Sale Book 2 Page 64 Case No. 22981 Docket No. 11 Page No. 269

TO HAVE AND TO HOLD the said real estate, with all the appurtenances thereto belonging to the said

The Sweeney Company

heirs and assigns, forever, as fully and absolutely as the said party of the first part, by virtue of the premises, might and could sell and convey the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his seal this 10th day of July, A. D., 19 89



*Paul D. Welch Sheriff*

Sheriff of Madison County, Iowa.

By \_\_\_\_\_, Deputy

STATE OF IOWA, Madison COUNTY, ss.

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_, A. D., 19\_\_\_\_, before \_\_\_\_\_, a Notary Public in and for Madison

County, State of Iowa, personally appeared Paul D. Welch Sheriff of Madison County, Iowa, to me personally known to be the identical person whose name is subscribed to the foregoing deed as ~~Deputy~~ Sheriff, and who is to me personally known to be the ~~Deputy~~ Sheriff of County of Madison and State of Iowa, and acknowledged the execution thereof to be the act and deed of the Sheriff ~~and as a deputy, acting in and for said county, and executed for the purposes therein mentioned~~

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



*Ruby Patterson*

Notary Public in and for Madison County, Iowa.

Section 526.95. Deed or Certificate. If the property sold is not subject to redemption, the sheriff must execute a deed therefor to the purchaser; but if subject to redemption, a certificate, containing a description of the property... Section 526.96. Deed. If the debtor or his assignee fails to redeem, the sheriff then in office must, at the end of the year, execute a deed to the person who is entitled to the certificate as hereinbefore provided, or to his assignee. If the person entitled is dead, the deed shall be made to his heirs.

Sheriff's Deed

PAUL D. WELCH  
County of MADISON TO THE SWEENEY COMPANY

WILLIAM P. WEIR, TRUSTEE Plaintiff  
HAL S. SWEENEY, SHIRLEY E. SWEENEY, a/k/a E. SHIRLEY SWEENEY, MAX HOMES, UNITED STATES OF AMERICA-AGRICULTURE THROUGH THE UNITED STATES-DEPT. OF AGRICULTURE, FARMERS HOME ADMINISTRATION AND WARREN COUNTY, IOWA Defendant

Filed for record the 18 day of July, A. D., 1989 at 10:37 o'clock A. M., and recorded in Book 135 Page 716 Sheriff's Deeds, Madison County, Iowa, Records. 7-10-89

*Mary E. Welch* Recorder  
*Shirley H. Henry* Deputy

Entered for taxation the 18 day of July, 1989  
*Paul D. Welch* Auditor.  
*Becky McDonald* Deputy.

Fees \$ 5.00  
NEIMAN, NEIMAN, STONE & SPELLMAN, ATTORNEYS AT LAW  
1119 HIGH STREET  
DES MOINES, IOWA 50309-2674

*Att. Cand. 11-1-89*