Deed Record, No. 84, Madison County, Iowa

Acres-Blackmar Co., Burlington. 48029

Vera May Dodder, et al
To
Titus Management Company

#1350
Fee $1.40

Filed for record the 5 day of March A. D. 1949 at 10:40 o'clock A. M.
Wilma M. Wade, Recorder

CONSENT AGREEMENT ON SALE OF HENRY DITTES FARM.

WHEREAS, on or about February 20th, 1933, the Titus Management Company issued a Declaration of Trust covering the following described premises in the County of Madison, State of Iowa, to wit:

> The East One Half of the North East quarter; the South West quarter of the North East quarter; the South East quarter of the North West quarter; the North West quarter of the South East quarter and the North One Half of the North East quarter of the South West quarter, all in Section Twenty Three (23), Township Seventy Six (76) North, Range Twenty Seven (27) West of the 5th Principal Meridian, containing 220 acres, more or less,

which Declaration of Trust is recorded in Book 70, Page 297 of the records of Madison County, Iowa, and certificates under said Declaration of Trust were issued as follows:

> John G. Klein, 14 parts out of 47 parts,
> Carl Schroeder, 9 parts out of 47 parts,
> Sophia Grosjean,4 parts out of 47 parts,
> Wm. Cochran and Anna Cochran, or either of them, or survivor, 4 parts out of 47 parts,
> E. W. Smith, 4 parts out of 47 parts,
> H. S. Springer Estate, 4 parts out of 47 parts,
> Walter Freybler and Lucile Freybler, or either of them, or survivor, 2 parts out of 47 parts,
> Adolph Romann and Anna Romann, or either of them, or survivor, 2 parts out of 47 parts,
> Salina Keen Estate, 2 parts out of 47 parts,
> Vera May Dodder, 2 parts out of 47 parts.

By the terms of said Declaration of Trust when thirty-five parts out of forty-seven parts consent to the sale of said premises, the said Trustee agrees to make such conveyance, and

WHEREAS, by reason of the death of four of the certificate holders and the transfer of two of the certificates, which transfers have been approved by Titus Management Company, the present holders of certificates under the Declaration of Trust are as follows:

> Mary F. Klein Estate 18 parts out of 47 parts,
> Carl Schroeder, 9 parts out of 47 parts,
> Sophia Grosjean Estate, 4 parts out of 47 parts,
> Anna Cochran, 4 parts out of 47 parts,
> H. S. Springer Estate, 4 parts out of 47 parts,
> Walter Freybler and Lucile Freybler, or either of them, or survivor, 2 parts out of 47 parts,
> Anna Romann or Monica Shaffer, or the survivor, 2 parts out of 47 parts,
> First Presbyterian Church, Muscatine, Iowa, 2 parts out of 47 parts
> Vera May Dodder, 2 parts out of 47 parts.

WHEREAS, on or about August 17th, 1948, Chas. Kilpatrick of Madison County, Iowa, agreed to purchase said premises at the price and sum of Eighteen Thousand ($18,000.00) Dollars; Eighteen Hundred ($1,800.00) Dollars at the time of the execution of the contract, and the balance of Sixteen Thousand Two Hundred ($16,200.00) Dollars on or before March 1st, 1949. Possession of said premises to be given on or before March 1st, 1949. Said premises to be clear of all liens and incumbrances, and the insurance policies assigned to Chas. Kilpatrick without charge.

Now, Therefore, we, the undersigned certificate holders issued under the terms and conditions of the foregoing described Declaration of Trust, which is still in force and effect, hereby consent to the sale of said premises on the terms herein named, and authorize the Titus Management Company, Trustee, to execute deed to said Chas. Kilpatrick, or to whom he may direct, upon completion of the contract of sale on or about March 1st, 1949. Upon the completion of said contract and the receipt of the purchase price, we each and severally agree to surrender our certificate issued under said Declaration of Trust to the said Titus Management Company, Trustee, upon the payment to us of the proportionate share of said proceeds.

It is understood that the rents for the year ending February 28th, 1949 are reserved and distribution of the net amount thereof shall be made in the same proportion as the

purchase money.

It is also understood and agreed that the said trustee is authorized to deduct from said proceeds the commission for the sale of said lands, the revenue stamps on the deed and any abstract expense, as well as the taxes payable in 1949, so that the premises, when conveyed, shall be clear of all liens.

Witness our hands this 9th day of November, 1948.

Vera May Dodder
Mrs Anna Romann
Lucile Freybler
FIRST PRESBYTERIAN CHURCH
By S. G. Stein, Trustee
By G. H. Ohlsen, Trustee
By C C Hagermann Trustee

Ivan J. Klein Executor
of Mary F. Klein Estate
Anna Cochran
Central State Bank, Trustee
H G Springer Estate
L.D Krueger. Vice Pres.
Katherine Martin

J O Frizzell ADMR
Margret Frizzell est
Agnes Bryant
Grace Missel
Raymond Bryant

State of Iowa Muscatine County: ss:

Be It Remembered, that on this 9th day of November, A. D. 1948, before the undersigned, a Notary Public in and for Muscatine County, Iowa, personally appeared S. G. Stein, G. H. Ohlsen and C. C. Hagermann, to me personally known to be the persons who executed the foregoing instrument, and acknowledged that they executed the same as Trustees of the First Presbyterian Church of Muscatine, Iowa, and for the purposes therein mentioned.

Witness my hand and Notarial Seal the day and year last above written.

(Notarial Seal) W. K. English Notary Public
in and for said County and State.

State of Iowa Muscatine County: ss:

Be It Remembered, that on this 9th day of November A. D. 1948, before the undersigned, a Notary Public in and for Muscatine County, Iowa, personally appeared L. D. Krueger, to me personally known to be the person who executed the foregoing instrument, and he acknowledged that he executed the same as Vice President of Central State Bank, Trustee for H. S. Springer Estate, and for the purposes therein mentioned.

Witness my hand and Notarial Seal the day and year last above written.

(Notarial Seal) W. K. English Notary Public
in and for said County and State.

State of Iowa Muscatine County: ss:

Be It Remembered, that on this 9th day of November A. D. 1948, before the undersigned, a Notary Public in and for Muscatine County, Iowa, personally appeared Ivan J. Klein, to me personally known to be the person named in and who executed the foregoing instrument, and he acknowledged to me that he executed the same as Executor of Mary F. Klein Estate, and for the purposes therein mentioned.

Witness my hand and Notarial Seal the day and year last above written.

(Notarial Seal W. K. English Notary Public
in and for said County and State.

State of Iowa Muscatine County: ss:

Be It Remembered, that on this 9th day of November A. D. 1948, before the undersigned, a Notary Public in and for Muscatine County, Iowa, personally appeared Katherine Martin, Agnes Bryant, Grace Missel, Raymond Bryant and J. O. Frizzell, Administrator of the Estate of Margaret Frizzell, Deceased, to me personally known to be the persons who executed the foregoing instrument, and they acknowledged to me that they executed the same as the heirs of Sophia Grosjean, Deceased, and for the purposes therein mentioned.

Witness my hand and Notarial Seal the day and year last above written.

(Notarial Seal) W. K. English Notary Public
in and for said County and State.

State of Iowa Muscatine County: ss:

Be It Remembered, that on this 9th day of November A. D. 1948, before the undersigned, a Notary Public in and for Muscatine County, Iowa, personally appeared Vera May Dodder, Anna Romann, Lucile Freybler and Anna Cochran, to me personally known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed, and for the purposes therein mentioned.

Witness my hand and Notarial Seal the day and year last above written.

NOTARIAL SEAL

W. K. English
Notary Public in and for said County and State