

Oklahoma at the March 1923, term of said court, in a certain action therein pending wherein John Rudisill Bumgarner, a Minor, by J.H. Rudisill, his next Friend, was plaintiff, and E.L. Bumgarner was defendant, the said action being an action for the partition of the real estate and premises described below, it was duly adjudged and decreed that the said plaintiff and the said defendant were the sole and exclusive owners of Lot No. twenty-four (24) of Block ten (10) of the Hill Crest Addition to the City of Tulsa, Oklahoma, the said plaintiff owning an undivided one-half interest therein and the said defendant owning the other undivided one-half interest therein, and that the same should be partitioned accordingly, or, if partition could not be made without manifest injury to the parties, then said real estate and premises should be valued and appraised by the commissioners herein after mentioned; and

Whereas, on said 5th, day of April 1923, the said Court, by its judgment, order and decree, duly appointed J. S. Shaver, Frank Wooden, and Geo. W. Mowbray as commissioners to make partition of said real estate between the said parties to this action according to their respective interests as above set out; and

Whereas, the aforesaid commissioners, after duly taking the oath prescribed by law, thereafter duly viewed and examined said premises, and thereafter, on the 7th, day of April, 1923, duly filed their report in said court in said action, and reported that said real estate and premises could not be partitioned without manifest injury to the owners thereof, the same being the parties to said action, and in said report said commissioners valued and appraised said real estate and premises at the sum of Fifty-five Hundred Dollars (\$5500.00) which report was duly approved, confirmed, and ratified by said court on the 20th, day of April, <sup>1923</sup> and

Whereas, on the 20th, day of April 1923, the said E.L. Bumgarner, the defendant in said action, filed his written election in said action in said court to take said property at its appraised value of Fifty-Five hundred Dollars (\$5500.00) and thereafter on the 20th, day of April 1923, said court ordered and directed the sheriff of Tulsa County, Oklahoma, to make, execute, and deliver a deed duly conveying said property to Said E.L. Bumgarner on payment by him to the guardian of the said John Rudisill, Bumgarner, a Minor, of the sum of Five Hundred Dollars (\$500.00) the same being the proportion of said plaintiff of the appraised value of said property, after deduction from said appraised value of the sum of Forty-Five Hundred Dollars (\$4500.00) being the amount of a note secured by mortgage covering the property involved in said action, all of which is fully set forth in the petition in said action:

Now, therefore, I, R. D. Sanford, the sheriff of Tulsa County, Oklahoma, in consideration of the premises and in pursuance of said order of said Court and of the Statutes in such case made and provided, for and in consideration of the sum of Five Hundred Dollars (\$500.00) cash in hand paid by the said E. L. Bumgarner to the guardian of the said John Rudisill Bumgarner, a Minor, as is evidenced by the receipt presented to me of the duly and legally appointed, qualified, and acting guardian of the estate of the said John Rudisill Bumgarner, a Minor, have granted, bargained, sold and conveyed unto the said E. L. Bumgarner, his heirs and assigns, forever, and do by these presents grant, bargain, sell, and convey unto the said E. L. Bumgarner, his heirs, and assigns, forever, the said real estate and premises situate in the City of Tulsa, in Tulsa County, State of Oklahoma, and particularly described above, together with all and singular the tenements, hereditaments, and appurtenances thereon and the unto belonging or in anywise appertaining.

To have and to hold the said real estate and premises unto the said E.L. Bumgarner, his heirs and assigns, forever, as fully and absolutely as I, the sheriff afore-