

Mortgage Record No. 75, Madison County, Iowa

Peters Trust Company) Filed for record July 20th, 1923, at
to (Release of Trust Deed. 11 o'clock A.M.
Hawkeye Portland Cement Co.) #1928 Fee \$1.80 Olive M. Garrison, Recorder.
STATE OF NEBRASKA, COUNTY OF DOUGLAS, ss. Peters Trust Company, of the County of Douglas, State of Nebraska, as trustee, under and by virtue of a trust deed dated October 1, A.D. 1910, and acknowledged October 26, A.D. 1910, by the Iowa Portland Cement Company, a corporation chartered and organized under the laws of the State of West Virginia, and by an amendment to its articles of incorporation made on or about the 26th day of February, 1916, changed its name to the Hawkeye Portland Cement Company, does hereby acknowledge that a certain trust deed bearing date October 1, 1910, made and executed by the Iowa Portland Cement Company, a corporation chartered and organized under the laws of the State of West Virginia on the following described premises, situated in the counties of Polk and Madison, in the state of Iowa, to-wit: FIRST. The east half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$), and the west half ($\frac{1}{2}$) of the west half ($\frac{1}{2}$) of the southeast quarter ($\frac{1}{4}$), and eight (8) acres off of the south end of the east half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) of the southeast quarter ($\frac{1}{4}$) (being a piece of land 40 rods east and west and 32 rods north and south), also four (4) acres in the southwest corner of the southeast quarter ($\frac{1}{4}$) of the southeast quarter ($\frac{1}{4}$) (being a piece of land 20 rods east and west and 32 rods north and south); all situated in section sixteen (16) and containing one hundred and thirty-two (132) acres, more or less according to government survey; also the northeast quarter ($\frac{1}{4}$) (except 3 acres in the northeast corner described as follows: Beginning at the northeast corner of said northeast quarter ($\frac{1}{4}$), running west on the north line of said northeast quarter ($\frac{1}{4}$) twenty-seven (27) rods, then south eighteen (18) rods, thence east twenty-seven (27) rods, to the east line of said northeast quarter ($\frac{1}{4}$), thence north eighteen (18) rods to place of beginning; and the northeast quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-one (21), containing one hundred and ninety-seven (197) acres, more or less, according to government survey; all of the above described land being situated in township seventy-seven (77), range twenty-eight (28), west of the fifth P.M., in Madison County, in the State of Iowa. SECOND. The northeast quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$), and the northwest quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$) of section twenty-four (24) (except public roads, highways, railroad right-of-way and coal lease), also about one and one-

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FOCH BROTHERS, INC., DES MOINES 17335

half ($1\frac{1}{2}$) acres in the southeast corner of the northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-four (24) bounded as follows, to-wit: Beginning at a point on the east line thereof four hundred seventy (470) feet north of the southeast corner of said northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-four (24), running thence due south four hundred and seventy (470) feet, thence due west two hundred and seventy-six (276) feet, thence in a straight line in a northeasterly direction to place of beginning; also a piece of ground situated in the southeast corner of the southeast quarter ($\frac{1}{4}$) of the southwest quarter ($\frac{1}{4}$) of section thirteen (13) described as follows, to-wit: Commencing at the southwest corner of the southeast quarter ($\frac{1}{4}$) of the southwest quarter ($\frac{1}{4}$) of said section thirteen (13), and running thence east along the section line eight hundred fifty (850) feet, thence north ten hundred twenty-four and ninety-four one-hundredths (1024.94) feet, thence west eight hundred and fifty (850) feet, thence south to place of beginning, containing twenty (20) acres, but excepting the coal and other minerals underlying said land and the right to mine the same from the adjoining lands; all of the above described land being situated in township seventy-eight (78), range twenty-five (25), west of the fifth P.M., in Polk County, in the State of Iowa.

THIRD. A strip of land one hundred (100) feet in width on the north side of the southwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-four (24), township seventy-eight (78), range twenty-five (25), in Polk County, in the state of Iowa, and more particularly described as follows, to-wit: Commencing at a point two hundred and fifty (250) feet west of the northeast quarter ($\frac{1}{4}$) of said southwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) and extending west to the school house ground in the northwest corner of said southwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$); as fully as said land is owned and possessed by said mortgagor under written lease, for the period of ninety-nine (99) years, made on the 21st day of November, 1908, by J.V.Nicholson, A.L.Nicholson, V.V.Nicholson, Mrs.M.Denison, L.E.Nicholson and O.J.Nicholson to Iowa Portland Cement Company.

FOURTH. A strip of land in the southeast part of the northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-four (24), township seventy-eight (78), range twenty-five (25) in Polk County, in the state of Iowa, and more particularly described as follows, to-wit: Beginning at a point on the south line of said northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) two hundred seventy-six (276) feet west of the southeast corner of said northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$), running thence in a northeasterly direction, north, twenty-nine (29) degrees, thirty-six (36) minutes east, one hundred seventy (170) feet, thence in a southwesterly direction south sixty-seven (67) degrees, thirty-one (31) minutes and west three hundred eighty-three and eighty-five one hundredths (383.85) feet to the point of intersection of the south line of the said northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$), thence east on said south line to the northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) two hundred and eighty (280) feet to the place of beginning, containing forty-eight one hundredths (.48) of an acre; as fully as the same is owned and possessed by said mortgagor by virtue of a written lease thereof for the period of ninety-nine (99) years, made on the 10th day of May, 1909, by Harvey Graves to Iowa Portland Cement Company.

FIFTH. All of the coal underlying the following described premises, with the privilege of mining and removing the same therefrom, to-wit: The north half ($\frac{1}{2}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-three (23), and the northwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section twenty-four (24) all in township seventy-eight (78), range twenty-five (25), in Polk County, in the state of Iowa, except the west half ($\frac{1}{2}$) of the east twenty (20) acres of the north thirty-two (32) acres of the northeast quarter ($\frac{1}{4}$) of said section twenty-three (23); as fully as said property and rights are vested in said mortgagor by virtue of written lease execut-

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Also all mills, rotaries, kilns, appliances, apparatus, engines, boilers and machinery of every kind and nature whatsoever, used in or about the carrying on of any branch of business now carried on or which may be hereafter carried on by said mortgagor under its charter or certificate of incorporation; also all stone quarries, mines, storehouses, dwelling houses, buildings, structures, superstructures, erections, plants, railways, tramways, rights of way and fixtures of every kind and nature used or which may hereafter be used in or about the business of said mortgagor, and belonging to it, or which may hereafter belong to it; also all inventions, licenses, patents, grants, rights, franchises, trade-marks and trade-names now owned or which may be hereafter acquired by said mortgagor with reference to carrying on and conducting any branch of its business; also all of its property of every kind, whether hereinbefore specifically enumerated or not, or whether now owned or hereafter acquired, including stocks of corporations, save and except the following described property situated in Cerro Gordo County, in the state of Iowa, to-wit: The northwest quarter ($\frac{1}{4}$) and the north half ($\frac{1}{2}$) of the southwest ^{quarter} ($\frac{1}{4}$) of section thirty-five (35), and the southeast quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$), and the northeast quarter ($\frac{1}{4}$) of the southeast quarter ($\frac{1}{4}$) of section thirty-four (34), township ninety-seven (97), range twenty, (20); and recorded in the office of the recorder of the county of Polk and state of Iowa, in book 584, page 49, on the 7th day of November, A.D. 1910, at 4:00 P.M., and recorded in the office of the recorder of the county of Madison on the 8th day of November, A.D. 1910, at 9:35 A.M., in book 49, page 619, of real estate mortgages, is redeemed, paid off, satisfied and discharged in full, and the said Peters Trust Company further certifies that all bonds and interest thereon issued under and by virtue of said trust deed have been fully paid, also all charges of the trustee thereunder. PETERS TRUST COMPANY,
By R.C. Peters, President.

Attest: C.J. Claassen, Secretary. (CORPORATE SEAL)

STATE OF NEBRASKA, COUNTY OF DOUGLAS, ss. On this 13th day of July A.D. 1923, before me, the undersigned, a notary public in and for said county, personally appeared R.C. Peters, to me personally known, who being by me duly sworn did say; That he is the president of the Peters Trust Company, a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and the said R.C. Peters acknowledged said instrument to be the free act and deed of said corporation and his free act and deed, for the purposes therein stated.

WITNESS my hand and official seal at the city of Omaha, Nebraska, the day and year last above written.

Herma T. Zentmyer,
Notary Public in and for Douglas County, Nebraska.
My commission expires Oct. 27 1928.

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SEAL