

Mortgage Record, No. 85, Madison County, Iowa

Clark & Byers,

#2236

Filed for record the 29th day
of May A. D. 1934 at 10:35
o'clock A. M.
Maggie Reese Hobbs, Recorder.
Jessie Allgeyer, Deputy.

To

Fee \$.70 ✓

Elmer Attig.

PARTIAL RELEASE.

WHEREAS Elmer Attig on or about the 6th, day of February 1925, executed and delivered to Clark & Byers a mortgage covering his undivided one-third (1/3) interest in the West Half (W $\frac{1}{2}$) of the South East Quarter (SE $\frac{1}{4}$) of Section Nine (9) and other lands, which mortgage was filed for record July 5th, 1928, and,

WHEREAS after the execution of said mortgage and prior to the recording of the same partition of the lands belonging to Elmer Attig and J. P. Attig was made between them by Decree in the District Court of Madison County, Iowa, and

WHEREAS in said partition proceeding there was set off to Elmer Attig the following described real estate, to-wit: The West Half (W $\frac{1}{2}$) of the South East Quarter (SE $\frac{1}{4}$) of Section Nine (9) in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th, P. M. Iowa, except the following tract: Commencing at a point ten (10) rods West of the Southeast corner of the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Nine (9), running thence North 80 rods, thence West 46 rods, thence South 80 rods, thence East 46 Rods to the place of beginning.

And there was set off to J. P. Attig the remaining lands in said eighty (80) acre tract, and also the North East Quarter (NE $\frac{1}{4}$) of the North West Quarter (NW $\frac{1}{4}$) of Section Ten (10); and also Five (5) acres in the South East (SE) corner of the South East Quarter (SE $\frac{1}{4}$) of the South West Quarter (SW $\frac{1}{4}$) of Section Three (3), being 24 rods North and South by 33 1/3 rods East and West, all in Township Seventy-four (74) North, Range Twenty-six West of the 5th, P. M. Iowa, and

WHEREAS the undersigned, Howard J. Clark, is the surviving member of the partnership firm of Clark & Byers,

NOW THEREFORE, the mortgage hereinbefore referred to is hereby released in so far as it purports to cover the lands set off to J. P. Attig, to-wit: Commencing at a point Ten (10) rods West of the South East Corner of the West Half (W $\frac{1}{2}$) of the South East Quarter (SE $\frac{1}{4}$) of said Section Nine (9), running thence North 80 rods, thence West 46 rods, thence South 80 rods, thence East 46 rods to the place of beginning, and also the North East Quarter (NE $\frac{1}{4}$) of the North West Quarter (NW $\frac{1}{4}$) of Section Ten (10); and also Five (5) acres in the South East (SE) Corner of the South East Quarter (SE $\frac{1}{4}$) of the South West Quarter (SW $\frac{1}{4}$) of Section Three (3), being 24 rods North and South and being 33 1/3 rods East and West, all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th, P. M. Iowa.

Clark & Byers

By Howard J. Clark
Surviving Member of said firm.

State of Iowa,)
) SS:
Polk County)

BE IT REMEMBERED, That on the 24th day of May A. D. 1934, before Alice M. Hamilton, a Notary Public in and for Polk County, Iowa, personally appeared Howard J. Clark personally to me known to be the identical person whose signature is affixed to the foregoing Release of Mortgage and acknowledged the execution of the same to be his voluntary act and deed for the purposes therein expressed.

Alice M. Hamilton
Notary Public in and for Polk
County, Iowa.

NOTARIAL
SEAL