

Mortgage Record, No. 85, Madison County, Iowa

The Northwestern Mutual Life

482

Filed for record the 19 day of Feb.

Mutual Benefit Life Insurance Company #499

To
De Witt S. Bass and wife

No Fee

Partial Release

Filed for record the 19 day of Feb.
A.D.1935 at 2;50 o'clock P.M.Valda C. Bishop Recorder
Pearl E. Shetterly Deputy

THIS INDENTURE, Made the Fourteenth day of November, A.D.1934, between THE MUTUAL BENEFIT LIFE INSURANCE COMPANY, a corporation under the laws of New Jersey, located at the City of Newark, in the State of New Jersey, party of the first part, and the State of Iowa, party of the second part, Witnesseth that,

WHEREAS, DeWitt S. Bass and Mary E. Bass, his wife, by a mortgage dated March 31, 1928, and recorded in Book 80 of Mortgages, on page 280, in the office of the Recorder, in the County of Madison, and State of Iowa, for the consideration therein mentioned, and to secure the payment of the money therein specified, did convey certain real estate unto Lane & Waterman, a co-partnership, then consisting of Joe R. Lane, J. Reed Lane, C.D. Waterman and W.T. Waterman, of Davenport, Scott County, Iowa, and which said mortgage was assigned by the said Lane & Waterman to the party of the first part, The Mutual Benefit Life Insurance Company, by assignment of Mortgage dated March 31, 1928, and recorded in Book

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80 of Mortgages, on page 286, in the Office of the Recorder, in the County of Madison and State of Iowa, and

WHEREAS, the party of the first part is still the legal holder and owner of the note evidencing the indebtedness above specified, and

WHEREAS, the said party of the first part, at the request of the said party of the second part, has agreed to give up and surrender that certain right, privilege and authority over that part of said real estate which is hereinafter described for highway purposes only, and retain the residue of the land and premises in said mortgage described as security:

NOW, THEREFORE, in pursuance of said agreement, and in consideration of the sum of Two Hundred and 00/100 (\$200.00) Dollars to it paid, the said party of the first part does hereby release and quit claim unto the said party of the second part, the following described right, privilege and authority over and across all that part of said real estate, situate in the County of Madison and State of Iowa, to-wit:

The right, privilege and authority to construct and maintain a public highway over and across the following described tract of land:

The west fifty (50) feet of the southeast quarter of the southeast quarter of Section Three (3), Township Seventy-five (75) North, Range Twenty-eight (28), West of the Fifth (5th) P.M. containing .895 of an acre, more or less, exclusive of the present established highways.

TOGETHER with all the right, title and interest of the said party of the first part in and to the same, to the intent that the right, privilege and authority over the real estate hereby given shall be discharged from the lien of said mortgage in accordance with the terms thereof, and not otherwise, and that the residue thereof shall remain to the said party of the first part, as heretofore.

By the acceptance of this instrument the party of the second part agrees that it will claim no rights in and to the above ^{described} real estate as against the party of the first part inconsistent with the terms of this instrument, and should the party of the first part acquire title to the real estate covered by its said mortgage or any renewal thereof, the rights of the party of the second part shall be confined to those expressly given or granted by this instrument.

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be signed by its Vice-President, attested by its Secretary, and its corporate seal to be affixed, the day and year first above written.

(Corporate Seal)

THE MUTUAL BENEFIT LIFE INSURANCE
COMPANY
BY Herman G. Hornfeck Vice-president

Attest:

Harry H. Allen
Secretary.

STATE OF NEW JERSEY)SS.
COUNTY OF ESSEX)

On this 15th day of November, A.D. 1934, before me, a Notary Public in and for said County, personally appeared Herman G. Hornfeck, to me personally known, who being by me duly sworn, did say that he is the Vice President of The Mutual Benefit Life Insurance Company, the grantor named in the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Herman G. Hornfeck acknowledged said instrument to be the voluntary act and deed of said corporation, by it voluntarily executed.

My commission expires March 20 1939



Gustav A. Hornfeck
Notary Public in New Jersey.