

Mortgage Record, No. 86, Madison County, Iowa

S.M. and Clara M. Drake

#1937

Filed for record the 11 day of
May A.D. 1936 at 9:00 o'clock
A.M.

To

Fee \$.50 ✓

W.T. Guiher

Valda C. Bishop, Recorder

AGREEMENT

THIS AGREEMENT made and entered into this 9th day of May, 1936, by and between S.M. Drake and Clara M. Drake, husband and wife, Party of the First Part, and W.T. Guiher, Party of the Second Part, WITNESSETH: That said Parties aforesaid have agreed and do hereby agree as follows:-

That a one story house Twenty-eight feet by Twenty-eight feet-eight foot ceiling is to be erected by W.T. Guiher upon:-

The West Fractional Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Seven (7), in Township Seventy-six (76) North, of Range Twenty-eight (28), West, of the 5th P.M., ; and

The Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter of Section Twelve (12), in Township Seventy-six (76) North, of Range Twenty-nine (29) West of the 5th P.M.

Said dwelling is to be erected and completed in the manner as W.T. Guiher may direct as fully and completely as though he were the absolute owner and in possession of said land; and

That there was a dwelling house upon said land and the same was destroyed by fire December 26th, 1935;

That First Parties received a Referee's Deed for said land and the same was filed for record March 10th, 1936; and, That First Parties gave to Second Party a mortgage upon said land dated March 10th, 1936, to secure a note in the sum of \$2,660.00; and that no part of said note has been paid; Said mortgage being recorded on Page 290 of Book 87 of the Records of the County Recorder of Madison County, Iowa, and that said mortgage contains the following clause:-

"This mortgage also to secure any and all sums advanced by Mortgagee for the erection of a dwelling house on said land."

That the intention of said clause in said mortgage was to secure said W.T. Guiher for any and all sums that he thereafter might advance in any way in the erection of a dwelling house on said land.

That this Agreement is made a part of said mortgage as fully and completely as though the agreements herein stated were included in said mortgage.

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J. H. WELCH PRtg. CO., DES MOINES 9116

Clara M. Drake
S.M.Drake
Parties of the First Part.

W.T.Guiher
Party of the Second Part.

STATE OF IOWA)
):SS:
MADISON COUNTY)

On the 9th day of May, A.D., 1936, before the undersigned,
a Notary Public in and for said County, came S.M.Drake and Clara M. Drake, husband and wife,
and W.T.Guiher, to me personally known to be the identical persons whose names are subscribed
to the foregoing Agreement as makers thereof, and acknowledged the execution of the same to
be their voluntary act and deed.

WITNESS my hand and Notarial Seal at Winterset, Iowa, the day and year last above written



H.C.Fosher
Notary Public in and for Madison
County, Iowa.