

Miscellaneous Record, No. 22, Madison County, Iowa

SEAL

January, A.D. 1936.
 Lois Martin
 Notary Public in and for Madison County,
 Iowa.

Earl Simpson & Wife

#334

Filed for record the 29 day of
 January A.D. 1936 at 1:30 o'clock
 P.M.

To

Fee \$.60 ✓

Valda C. Bishop, Recorder
 Pearl E. Shetterly, Deputy

George Schnellbacher

CANCELLATION OF CONTRACT

THIS ARTICLE OF AGREEMENT, made and entered into this 29th day of January, A.D. 1935, be and between George Schnellbacher of Madison County, Iowa, hereinafter designated as party of the first part, and Earl Simpson and Hattie Simpson, husband and wife, of Madison County, Iowa, hereinafter designated as party of the second part, WITNESSETH:

WHEREAS, parties of the second part have, and do now agree to cancel and set aside one certain contract, dated January 18, 1935, and recorded on the second day of February, A.D. 1935, at 4 o'clock P.M., and recorded in Book 22, on page 136, of the records of the County Recorder of Madison County, Iowa.

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THEREFORE, IT IS NOW UNDERSTOOD, STIPULATED AND AGREED, by and between the parties hereto, as follows: First, that the contract entered into by and between the parties hereto of date of January 16, A.D.1935, and recorded on the second day of February, A.D.1935, at 4 o'clock P.M., and recorded in Book 22, on page 136, of the records of the County Recorder of Madison County, Iowa, be and the same is hereby set aside, canceled, terminated and held for naught, and neither party, or their heirs, legal representatives or assigns, shall, from this day forward, have any right, title claim, lien or interest against the other party, under and by virtue of said contract.

Second, that the Warranty Deed referred to in said contract was not delivered to the escrow agent named in said contract, Daniel J. Gallery, but remained at all times in the possession of the party of the first part, and that no title either legal or equitable, to the real estate hereinafter described, passed from the party of the first part to the parties of the second part under and by virtue of said Warranty Deed, and the parties hereto have this day, by mutual consent, destroyed said Warranty Deed, and the party of the second part has this day executed to the party of the first party, a Quit Claim Deed conveying to the said party of the first part, all right, title, claim, lien or interest which second party or any one claiming by, through or under them, may have or claim to have, under and by virtue of said Warranty Deed. Third, the real estate referred to in the two proceeding paragraphs, is situated in Madison County, Iowa, and described as follows, to-wit:

North Twenty-five (25) acres of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), except a tract of land described as follows: Commencing at the Southwest Corner thereof, running thence North Eleven (11) rods, thence East Seventeen (17) rods, thence South Eleven (11) rods thence West to the place of beginning; all in Section Thirteen (13) Township Seventy-five (75) North of Range Twenty-nine (29) West of the 5th P.M., Iowa.

Fourth, that the consideration of this contract, among other things, is the payment by first party to second parties, the sum of Two Hundred (\$200.00) Dollars, in cash, in hand paid, receipt of which is hereby acknowledged.

George Schnellbacher
Party of the First Part

Earl Simpson
Hattie Simpson
Parties of the Second Part

STATE OF IOWA)
MADISON COUNTY) SS.

On this 29th day of January, A.D.1936, before me, Jno.N. Hartley, a Notary Public in and for Madison County, Iowa, personally appeared George Schnellbacher, Earl Simpson and Hattie Simpson, to me known to be the identical persons who executed the foregoing agreement consisting of Two (2) typewritten pages, and acknowledged that they executed the same as their free and voluntary act and deed, for the purposes therein expressed.

NOTARIAL
SEAL

Jno.N. Hartley
Notary Public in and for Madison
County, Iowa.

Filed for record the 29 day of