

Miscellaneous Record, No. 23, Madison County, Iowa

The Federal Land Bank of Omaha

To
Andrew Busch, et al

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Filed for record the 9 day of
October A.D. 1939 at 9:20 o'clock
A.M.
Pearl E. Shetterly, Recorder

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

Miscellaneous Record, No. 23, Madison County, Iowa

THE FEDERAL LAND BANK OF OMAHA,
a Corporation

No. 16917 Equity

Plaintiff,

vs.

ANDREW BUSCH, et al.,

Defendants.

STIPULATION

IT IS HEREBY AGREED by and between The Federal Land Bank of Omaha, a Corporation, Plaintiff, in this cause, and the Defendants, I.N.Eivins and Ida V.Eivins, his wife, as follows:

That the defendants I.N.Eivins and Ida V.Eivins, his wife, have no rights, title, interests, liens, claims or equity in, to or against the real estate described as the Northeast Quarter of the Southwest Quarter of Section 29, Township 75 North, Range 29 West of the 5th P.M., in Madison County, Iowa, except a right of way over and across a triangular piece of land which constitutes the extreme Southeast corner of the said Northeast Quarter of the Southwest Quarter of Section 29, Township 75 North, Range 29 West of the 5th P.M., and that the said triangular piece of real estate over which said right of way exists is as follows:

A piece of land in triangular shape bounded by and included with ⁱⁿ a line commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 29, Township 75 North, Range 29 West of the 5th P.M., running thence North, a distance of 22 feet, running thence in a Southwesterly direction to a point 16½ feet West of said place of beginning, thence East to the place of beginning, a distance of 16½ feet,

and that said defendants have no right of way in any other part of said real estate, and that said right of way is a right of way over and across said triangular piece of ground hereinbefore described for the passage of animals, vehicles, farm implements and machinery, and persons on foot, and for such uses as are customary in connection with the operation of the farming business, and is for the passage between other real estate owned by said I.N.Eivins described as North Half of the Southeast Quarter of Section 29, Township 75 North, Range 29 West of the 5th P.M., and the Southeast Quarter of the Southwest Quarter of Section 29, Township 75 North, Range 29 West of the 5th P.M.; and Plaintiff agrees that such right of way exists over and across said triangular piece of land hereinbefore described, and is senior and superior to the mortgage sued upon by The Federal Land Bank of Omaha in this cause, and that the foreclosure of the Mortgage of Andrew Busch to The Federal Land Bank of Omaha in this cause does not cut off or interfere with the said right of way hereinbefore described. IT IS AGREED that said triangular piece of land in which said right of way exists is now fenced off from the remainder of said Northeast Quarter of the Southwest Quarter of Section 29, Township 75 North, Range 29 West of the 5th P.M., by an existing fence. Dated this 29th day of September, 1939

THE FEDERAL LAND BANK OF OMAHA,
a Corporation, Plaintiff.
By Daniel J. Gallery Its Attorney.
I.N.Eivins
Defendant.
Ida V.Eivins Defendant.

STATE OF IOWA, Madison County, ss:

On this 29th day of September, 1939, before me, W.T.Guiher, a Notary Public in and for Madison County, Iowa, personally appeared I.N.Eivins and Ida V. Eivins, husband and wife, and Daniel J. Gallery, Attorney at Law, Winterset, Iowa, all to me personally known to be the persons who executed the above and foregoing instrument and acknowledged that they executed the same as

and for their voluntary act and deed for the purposes therein expressed,

NOTARIAL
SEAL

WITNESSES my hand and notarial seal this 29th day of September, 1939.

W.T.Guiher

Notary Public in and for Madison County, Iowa

F. Craig

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