

Miscellaneous Record, No. 23, Madison County, Iowa

Elva C. Wiig

#1300

Filed for record the 28 day of March
A.D. 1943 at 1:25 o'clock P.M.To
Mabelle B. Danforth & husb.

Fee \$.70

Pearl E. Shetterly, Recorder

AGREEMENT

KNOW ALL MEN BY THESE PRESENTS: That Whereas, Rebecca A. Jones and C. T. Jones entered into an agreement, dated June 2, 1884, and filed for record January 2, 1885, in Miscellaneous Record 5, Page 403 in the office of the Recorder of Madison County, Iowa, wherein Rebecca A. Jones, owner of the East 1/3 of Lot 1, Block 24, Original Town of Winterset, Iowa, granted to C. T. Jones, his heirs and assigns, a perpetual lease for the purpose of ingress and egress over the stairway on the east side of said building and the hall on the 2nd story of said building, in consideration of the said C. T. Jones keeping up 2/3 of the repair of said stairway and

Whereas, Hettie L. Foster and A. W. Wilkinson entered into an agreement, dated May 1, 1891 and filed May 6, 1891 in Town Lot Mortgage Record 3, Page 62, wherein the said Hettie L. Foster, in consideration of the said A. W. Wilkinson keeping up 1/3 of the repair on the stairway leading to the 2nd floor of the building located on the above described real estate, covenanted and agreed that said A. W. Wilkinson, his heirs and assigns, might have a perpetual lease for purpose of ingress and egress, and

Whereas, at the present time, Mabelle B. Danforth, the owner of the East 1/3 of said Lot 1 in Block 24 in the Original Town of Winterset, Iowa, and Elva C. Wiig, owner of the West 2/3 of said lot 1 being the West 44 feet of said lot, desire to terminate said perpetual leases and have walled up the entrance between the building located on the East 1/3 of said

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lot and the West 2/3 of said lot.

Now, therefore, in consideration of the said Mabelle B. Danforth and Alf D. Danforth, husband and wife, their heirs, executors, administrators and assigns, releasing the said Elva C. Wiig, widow, her heirs, executors, administrators and assigns, from any and all liability arising out of the use of the stairs on the East side of the building located on the East 1/3 of said lot 1, Block 24, Original Town of Winterset, Iowa, and in consideration of the said Elva C. Wiig, her heirs and assigns, being relieved and freed from any and all claim, damage or liability for the up keep and/or repair of said stairs, the said Elva C. Wiig, her heirs administrators, executors and assigns, does hereby surrender and relinquish to the said Mabelle B. Danforth, her heirs and assigns, all right to the use of said stairway and hall for the purpose of ingress and egress.

It is the intention of the parties hereto to terminate and cancel any and all agreements for a perpetual lease of said stairway and hall for the purpose of ingress and egress.

Dated this 19th day of March, 1943.

Elva C. Wiig
Mabelle B. Danforth
Alf. D. Danforth

State of Iowa Adair County)ss.

On this 20th day of March, A.D. 1943, before me, J. E. Don Carlos, a Notary Public in and for Adair County, Iowa, personally appeared Elva C. Wiig, to me known to be the person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

(Notarial Seal)

J. E. Don Carlos
Notary Public in and for Adair County, Iowa.

STATE OF IOWA MADISON COUNTY)SS.

On this 25th day of March A.D. 1943, before me A. E. Emerson a Notary Public in and for Madison County, Iowa, personally appeared Mabelle B. Danforth and Alf D. Danforth, husband and wife, to me known to be the persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

SEAL

A. E. Emerson Notary Public
in and for Madison County, Iowa