

ENTERED FOR TAXATION  
 THIS 1 DAY OF Oct 1974  
 AUDITORS FEE \$ 100  
George F. Chubb  
 AUDITOR  
James Allen  
 DEPUTY AUDITOR

FILED NO. 1591  
 BOOK 104 PAGE 272  
 1974 OCT -1 AM 10:32  
 MARY E. WELTY  
 RECORDER  
 MADISON COUNTY, IOWA  
Sheet 6 So  
 Parcel No. 3 (Supp)

3023

EASEMENT FOR CONSTRUCTING CHANNEL CHANGE  
 AND PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS:

That John W. Peterson and Lila A. Peterson, husband and wife, of <sup>Madison</sup> ~~Madison~~ County, State of Iowa, in consideration of the sum of Fifty and no/100-----(\$50.00)-----DOLLARS and other valuable considerations in hand paid by Iowa State Highway Commission, do hereby sell and convey unto the STATE OF IOWA, for constructing channel change and for use as a Public Highway, the following described premises situated in the County of Madison, State of Iowa, to-wit:

A parcel of land located in the NE 1/4 NW 1/4 NW 1/4 of Section 35, T74N, R28W of the 5th P.M., Madison County, Iowa, as shown on Right of Way Plat Exhibit "A" attached hereto and by reference made a part hereof.

THE EASEMENT RIGHT, FOR THE PURPOSE OF CONSTRUCTING CHANNEL CHANGE AND PUBLIC HIGHWAY, GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

Commencing at the NE Corner of the NW 1/4 NW 1/4 of said Section 35; thence S89° 40 1/2'W, 228.5 ft. along the north line of said NW 1/4 NW 1/4 to a point on the present westerly right of way line of Primary Road No. U.S. 169; thence S7°44 1/2'W, 200.4 ft. along said present westerly right of way line to the Point of Beginning; thence continuing S7°44 1/2'W, 50.2 ft. along said present westerly right of way line; thence N58°42 1/2'W, 457.8 ft. to a point on the west line of the NE 1/4 NW 1/4 NW 1/4 of said Section 35; thence S64°42 1/2'E, 440.2 ft. to a point on the present westerly right of way line of Primary Road No. U.S. 169, the Point of Beginning; containing 0.24 acre, more or less.

The grantors represent, warrant and certify that neither of them has commenced an action for the dissolution of their marriage under the Iowa law.

This deed is executed, given and recorded in accordance with the terms of a certain real estate contract dated July 24, 1974, and recorded in the office of the Madison County Recorder on August 3, 1974, and occurring in Book 110, Page 512, or on file with the Iowa State Highway Commission in Ames, Iowa.

This deed and transfer is exempt from transfer tax because the consideration is \$500.00 or less. Sec. 428A.1 of Code of Iowa, 1973.

And the grantors do hereby covenant with the said STATE OF IOWA that said grantors are lawfully seized of said premises; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever; and said grantors covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever, and each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the above described premises.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as feminine or masculine gender, according to the context.

Signed this 26th day of September A.D. 1974.

John W. Peterson  
 John W. Peterson

Lila A. Peterson  
 Lila A. Peterson

STATE OF IOWA, MADISON COUNTY, ss.

On this 26<sup>th</sup> day of September, A.D. 19 74, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared John W. Peterson to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

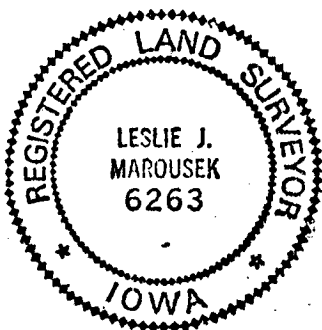
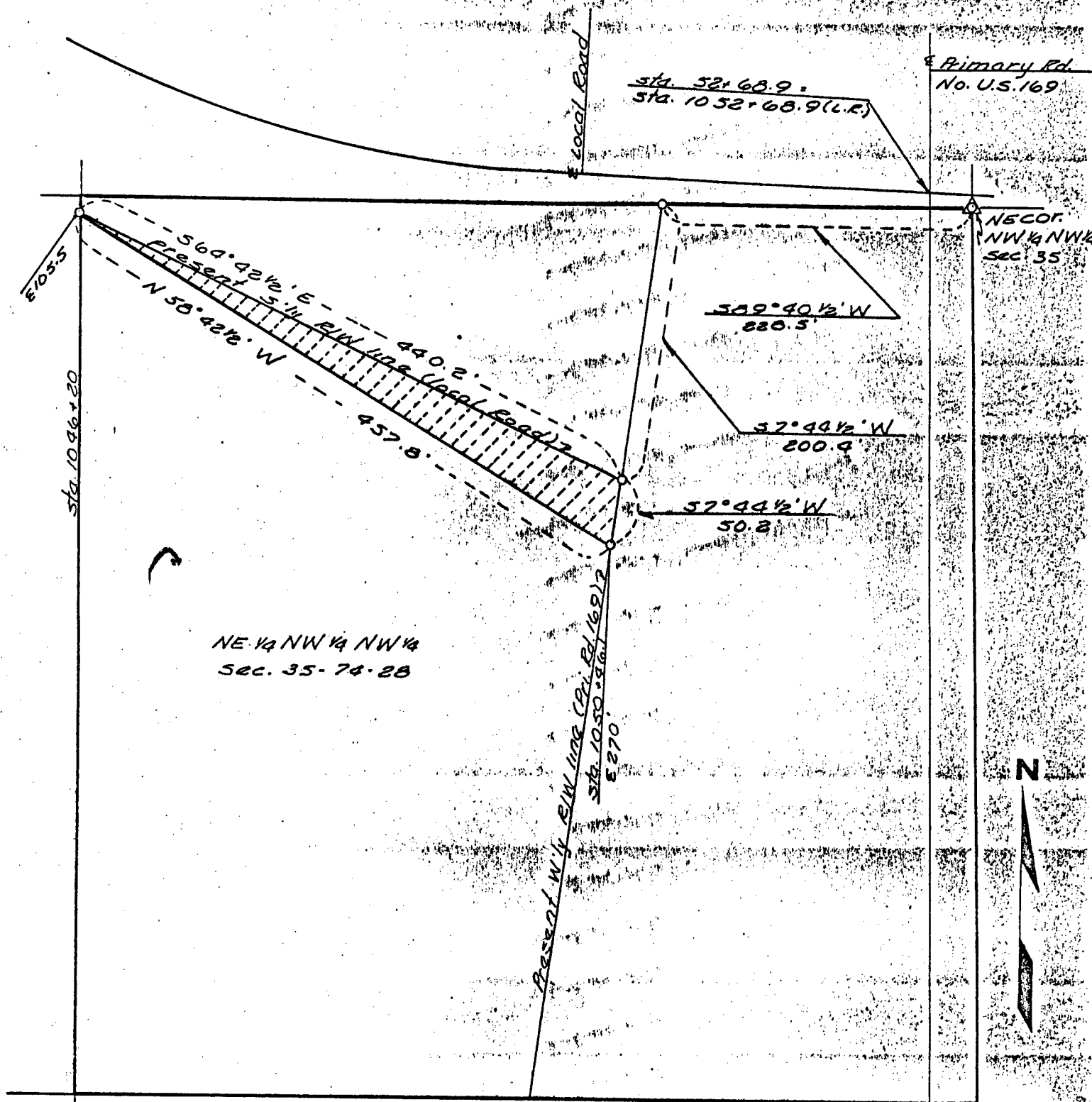


L. Robert Dahlgren  
L. Robert Dahlgren  
Notary Public in and for the State of Iowa

# IOWA STATE HIGHWAY COMMISSION

## RIGHT OF WAY PLAT EXHIBIT "A"

COUNTY Madison STATE CONTROL NO. 10-00  
PROJECT NO. FN-169-3(2) - 21-61 PARCEL NO. 3 (supplemental)  
SECTION 35 TOWNSHIP 24 N RANGE 28 W  
ROW - FEE \_\_\_\_\_ AC, EASE 0.24 AC, EXCESS - FEE \_\_\_\_\_ AC  
ACQUIRED FROM John W. Peterson et ux



I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

*Leslie J. Marousek* 7-12-74  
Leslie J. Marousek, Reg. No. 6263 Date

NX  
DATE DRAWN 12 July 1974

SCALE 1" = 100'

FILMED