

Deed Record, No. 94, Madison County, Iowa

WAT PARROTT & SONS CO., WATERLOO, IOWA 50402

Orval E. Beerbower et al	#1324	Filed for record the 27 day of July
To		A.D. 1967 at 2:38 o'clock P. M.
Madison County, Iowa	No Fee	Mary E. Welty, Recorder

EASEMENT AND RIGHT OF ENCROACHMENT

KNOW ALL MEN BY THESE PRESENTS: That we, Orval E. Beerbower and Margaret N. Beerbower, husband and wife; J. Paul Moravetz and Sylvia E. Moravetz, husband and wife; and Shirley A. Webster and Marie E. Webster, husband and wife, in consideration of the sum of \$83.25 in hand paid by Madison County, Iowa, do hereby grant an easement and right of encroachment to Madison County, Iowa, for highway purposes in and to the following described real estate, to-wit:

Beginning at a point 725.0 feet East and 75.0 feet North of the Southwest Corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P. M., thence North 83° 35' East 464.98 feet, thence South 45° 00' East 38.14 feet, thence South 45° 00' West 35.4 feet, thence West 464.05 feet to the point of beginning and containing 0.29 acres more or less. Note: The South side of the Southwest Quarter (SW $\frac{1}{4}$) of Section 9, Township 74 North, Range 28 West of the 5th P. M. is assumed to bear due east and west.

Under the right of encroachment herein granted, Madison County, Iowa, shall have the right to enter onto the premises hereinbefore described for the purpose of building or extending culverts on the existing highway immediately to the south of the premises hereinbefore described and for the purpose of making cuts or fills as may be reasonably necessary to improve said existing highway. After January 1, 1969, the rights of Madison County, Iowa, in and to the premises herein granted shall terminate except that Madison County, Iowa, shall have the right to enter onto said described premises as may be reasonably necessary to repair, maintain and replace the culverts which may be erected or extended onto the described premises and for the purpose of maintaining any fill which it may have erected on said premises.

The grantors herein, their heirs and assigns shall have the right after January 1, 1969, to maintain a fence along the south line of the premises herein described and shall have the right to use said premises and shall have the rights to all timber growing on said premises subject only to the reasonable right of entry by Madison County, Iowa, to maintain culverts and fill as hereinbefore provided.

Dated at Winterset, Iowa, this 30th day of June 1967.

Orval E. Beerbower
Orval E. Beerbower
Margaret N. Beerbower
Margaret N. Beerbower
J. Paul Moravetz
J. Paul Moravetz

Sylvia E. Moravetz
- - - - Moravetz
Shirley A. Webster
Shirley A. Webster
Marie E. Webster
Marie E. Webster

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MA: PARROTT & SONS CO., WATERLOO, IOWA 64-3012

STATE OF IOWA, MADISON COUNTY, SS:

On this 24 day of July, A.D. 1967, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Orval E. Beerbower and Margaret N. Beerbower to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

C. R. Bentz
C. R. Bentz Notary Public
in and for said County.

STATE OF IOWA, MADISON COUNTY, SS:

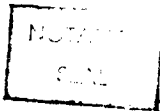
On this 25th day of July, A.D. 1967, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared J. Paul Moravetz and Sylvia E. Moravetz to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

Shirley A. Webster
Shirley A. Webster Notary Public
in and for said County

STATE OF IOWA, MADISON COUNTY, SS:

On this 30 day of June, A.D. 1967, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Shirley A. Webster and Marie E. Webster to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.



Shirley Keating
Shirley Keating Notary Public
in and for said County.