

Deed Record, No. 93, Madison County, Iowa

Raymond Smith et al
To
Madison County, Iowa

#1576
No Fee

Filed for record the 3 day of May
A. D. 1963 at 3:30 o'clock P. M.
Mary E. Welty, Recorder
Shirley G. Henry, Deputy

EASEMENT FOR PUBLIC HIGHWAY

Know all men by these presents: That Raymond Smith and Bertha Smith of Madison County, State of Iowa, in consideration of the sum of Eighty-one Dollars and Twenty Cents (\$81.20) in hand paid by Madison County, Iowa, do hereby sell and convey unto said Madison County, for road purposes and for use as a public highway, the following described premises situated in the County of Madison, State of Iowa, to-wit:

Commencing at the NW corner Section 30, Township 77 North, Range 28 West of the 5th P.M.; thence South 1020.2 feet to the point of beginning; thence East 50.0 feet; thence South 379.0 feet; thence West 17.0 feet; thence South 50.0 feet; thence East 17.0 feet; thence South 413.4 feet; thence South 0° 07' West 760.7 feet; thence North 89° 53' West 50.0 feet; thence North 0° 07' East 760.7 feet; thence North 842.4 feet to the point of beginning and containing 0.47 acres, more or less, exclusive of the present highway,

subject to the reservation by the grantors of the well and the plot immediately surrounding the same located at approximately station 434-28.

NOTE: the west line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, Township 77 North, Range 28 West is assumed to bear due north. Also, commencing at the NE corner Section 25, Township 77 North, Range 29 West of the 5th P. M.; thence South 1862.6 feet; thence South 0° 07' West 334.7 feet to the point of beginning; thence North 89° 53' West 50.0 feet; thence South 0° 07' West 429.0 feet; thence South 89° 53' East 50.0 feet; thence North 0° 07' East 429.0 feet to the point of beginning and containing 0.09 acres, more or less, exclusive of the present highway.

NOTE: the east line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25 Township 77 North, Range 29 West is assumed to bear due North.

The grantors hereby covenant with the said Madison County that they are lawfully seized of said premises; that they are free from incumbrances; that they have good and lawful authority to sell and convey the same, and they do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, and the said Bertha Smith hereby relinquishes right of dower in and to the premises hereinbefore conveyed.

As part of the consideration for the grant of this Easement and as an express condition of said grant, the grantee agrees that the grantors, their successors and assigns may maintain a water line across said highway, and may maintain septic-tank drains across said highway, and may maintain the present tile lines across said highway. Grantee further agrees that any water lines, septic-tank drains and tile lines crossing the highway that are damaged or impaired during the construction of said highway will be repaired by the grantee. Grantee also agrees, at its cost, to relocate the water line from said well extending south approximately 34 rods along the above-mentioned right-of-way, and agrees that in the event that said water line is located in the highway right-of-way, that any future damage to the same by the grantee will be repaired at grantee's cost.

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MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Signed this 3rd day of May, 1963.

Raymond Smith
Raymond Smith
Bertha Smith
Bertha Smith

STATE OF IOWA MADISON COUNTY :SS

On this 3rd day of May, 1963, before me, Shirley A. Webster, a Notary Public in and for said County, personally appeared Raymond Smith and Bertha Smith 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.



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