

Deed Record, No. 93, Madison County, Iowa

Helen McCall Huntoon et al
To

#2006

Filed for record the 15 day of June
A. D. 1963 at 11:45 o'clock A. M.

No Fee

Madison County, Iowa

Mary E. Welty, Recorder

EASEMENT FOR PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS: That Helen McCall Huntoon and H. V. Huntoon, wife and husband of Madison County, State of Iowa in consideration of the sum of One Hundred Sixty-nine and 80/100 Dollars in hand paid by Madison County, Iowa, do hereby sell and convey unto the 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:

Beginning at a point 31.84 feet south of the NE corner Section 36 T76N R29W of the 5th P.M.; thence west 50.0 feet; thence south 2611.0 feet; thence east 50.0 feet; thence north 2611.0 feet to the point of beginning and containing 0.60 acres, more or less, exclusive of the present highway. Note: the east line of the NE $\frac{1}{4}$ Section 36 T76N R29W is assumed to bear due north.

and we hereby covenant with the said Madison County that we are lawfully seized of said premises; that they are free from incumbrance except a mortgage to the Metropolitan Life Insurance Company, New York 10, N.Y. that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever and the said H. V. Huntoon hereby relinquishes his right of dower in and to the premises hereinbefore conveyed.

Signed this 12th day of April, A.D. 1963.

Helen McCall Huntoon
Helen McCall Huntoon
H. V. Huntoon
H. V. Huntoon

STATE OF IOWA, MADISON COUNTY, SS:

On this 12th day of April A.D. 1963, before me H. C. Fosher a Notary Public in and for said County, personally appeared Helen McCall Huntoon and H. V. Huntoon, wife and husband 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.

(NOTARIAL SEAL)

H. C. Fosher Notary Public
in and for said County.

SUBORDINATION TO EASEMENT

WHEREAS, Helen McCall Huntoon and H. V. Huntoon, wife and husband, executed a certain mortgage to Metropolitan Life Insurance Company, of New York, New York, dated February 15, 1950 to secure the payment of Ten Thousand Dollars, covering lands therein described, recorded in Book 99, Page 345, of the records of Madison County, State of Iowa

AND, WHEREAS, the above named mortgagors have conveyed by easement to Madison County, State of Iowa, hereinafter called the second party, certain rights permitting the construction, operation and maintenance of a county road across approximately 0.60 of an acre of this farm, and the second party desires the consent of Metropolitan Life Insurance Company to said easement described as follows:

An easement for public highway dated April 12, 1963, from Helen McCall Huntoon and H. V. Huntoon, wife and husband, to Madison County, State of Iowa, across 0.60 of an acre of the lands described in the aforesaid Mortgage, for the use of Madison County, State of Iowa.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of One Dollar, lawful money of the United States of America, unto it paid by the second party at the execution and delivery hereof, receipt whereof is hereby acknowledged, Metropolitan Life Insurance Company, the holder of the mortgage hereinbefore recited, does hereby

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expressly subordinate the lien of said mortgage to the estate vested in the second party in and by the easement hereinbefore recited, and does stipulate and agree that said mortgage shall at all times be inferior and subordinate to the estate vested in said second party, its successors and assigns, in and to that portion of the premises hereinbefore described.

It is hereby stipulated and agreed that said mortgage shall remain a lien upon the premises hereinbefore described subject only to the estate by way of easement to said second party.

IN WITNESS WHEREOF, Metropolitan Life Insurance Company has caused these presents to be executed in its corporate name by D. J. Hogan, its Third Vice President and its corporate seal to be hereto affixed this 15th day of May, 1963.

(CORPORATE SEAL)

METROPOLITAN LIFE INSURANCE COMPANY

By D. J. Hogan

D. J. Hogan Third Vice President

STATE OF NEW YORK COUNTY OF NEW YORK) SS.

On this 15th day of May, 1963, before me, a Notary Public duly commissioned, qualified and acting in and for said County, in the State aforesaid, personally appeared D. J. Hogan to me personally known to be the same person whose name is subscribed to the foregoing instrument, who, being by me duly sworn, did say that he is the third Vice President of Metropolitan Life Insurance Company, a corporation organized under the laws of the State of New York, and is an officer duly authorized to execute the foregoing instrument, that the seal affixed to the within instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said D. J. Hogan as such Third Vice President of said corporation acknowledged that he executed, signed, sealed and delivered the foregoing instrument for the uses and purposes therein contained, on the day and date therein mentioned, and acknowledged the said instrument and the execution of said instrument to be the free and voluntary act and deed of said corporation by him voluntarily executed.

In Witness Whereof, I have hereunto set my hand and affixed my notarial seal the day and year first above written.



Edward L. Shenkenberg Notary Public
in and for New York County, New York.
EDWARD L. SHENKENBERG
Notary Public, State of New York
No. 52-3630860
Qualified in Suffolk County
Certificate filed in New York County
Commission expires March 30, 1965