

# Deed Record, No. 93, Madison County, Iowa

|                               |        |                                    |
|-------------------------------|--------|------------------------------------|
| Katherine J. Cunningham et al | #2047  | Filed for record the 8 day of June |
| To                            |        | A. D. 1965 at 3:00 o'clock P. M.   |
|                               | No Fee | Mary E. Welty, Recorder            |
| Madison County, Iowa          |        | Shirley G. Henry, Deputy           |

EASEMENT FOR PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS: That Katherine J. Cunningham and John E. Cunningham, wife and husband of Madison County, State of Iowa in consideration of the sum of Ninety-Four and 32/100 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 34.0 feet west of the SE corner of the NE½ Section 30 T75N R27W of the 5th P.M.; thence north 45.0 feet; thence west 1293.0 feet; thence south 45.0 feet; thence east 1293.0 feet to the point of beginning and containing 0.36 acres, more or less, exclusive of the present established highway.  
 Note: the south side of the NE½ Sec. 30 T75N R27W is assumed to bear due east and west.

and we hereby covenant with the said Madison County that we are lawfully seized of said premises; that they are free from incumbrance 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 John E. Cunningham hereby relinquishes his right of dower in and to the premises hereinbefore conveyed.

Signed this 21st day of May, A.D. 1965.

Katherine J. Cunningham  
 Katherine J. Cunningham  
 John E. Cunningham  
 John E. Cunningham

STATE OF IOWA, MADISON COUNTY, SS.

On this 21st day of May A.D. 1965, before me Marguerite Gallery a Notary Public in and for said County, personally appeared Katherine J. Cunningham and John E. Cunningham 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)

Marguerite Gallery  
 (Marguerite Gallery) Notary Public  
 in and for said County.

EASEMENT PRIORITY AGREEMENT

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For valuable consideration, The Federal Land Bank of Omaha declares that the lien of its mortgage is inferior to the easement for highway purposes granted to Madison County, Iowa. The portion or portions of the security included in said easement being described as follows:

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MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Beginning at a point 34.0 feet west of the Southeast corner of the NE $\frac{1}{4}$  of Section 30, Township 75 North, Range 27 West of the Fifth Principal Meridian, Madison County, Iowa; thence North 45.0 feet; thence West 1293.0 feet; thence South 45.0 feet; thence East 1293.0 feet to the point of beginning and containing 0.36 acres, more or less, exclusive of the present established highway.

Note: The South side of the NE $\frac{1}{4}$  of Section 30, Township 75 North, Range 27 West is assumed to bear due east and west.

Said mortgage being recorded in Book 106, page 318, of the Mortgage Records of Madison County, State of Iowa;

Said mortgage is to retain its original priority as to all other property described therein not above described as being included in said easement.

In testimony whereof, The Federal Land Bank of Omaha, a corporation, has caused these presents to be executed by its Asst. Vice President and its corporate seal to be affixed hereto May 28, 1965.

(CORPORATE SEAL)

THE FEDERAL LAND BANK OF OMAHA  
By Arthur C. Buffington  
Arthur C. Buffington, Ass't. Vice President  
Attest: A. K. Jones  
A. K. Jones Asst. Secretary

STATE OF NEBRASKA COUNTY OF DOUGLAS ) SS.

On May 28, 1965, before me, Geneva F. Seward, a Notary Public in and for Douglas County, Nebraska, personally appeared Arthur C. Buffington, to me personally known to be the identical person who executed the foregoing instrument, who being by me duly sworn did say that he is Asst. Vice President of The Federal Land Bank of Omaha; that the seal affixed to said instrument is the corporate seal of The Federal Land Bank of Omaha; that said instrument was signed and sealed in behalf of The Federal Land Bank of Omaha by authority of its Board of Directors, and the said Arthur C. Buffington acknowledged said instrument to be the free and voluntary act and deed of said corporation by it voluntarily executed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

NOTARIAL  
SEAL

Geneva F. Seward  
Geneva F. Seward Notary Public  
in and for Douglas County, Nebraska  
My commission expires Oct. 19, 1968