

Madison County, Iowa

Ed Lavalleur & wife et al

#3327

Filed for record the 1 day of
August A.D. 1946 at 1:26 o'clock
P.M.To
Virgil E. Smith

Fee \$.90

Pearl E. Shetterly, Recorder
Wilma M. Wade, DeputyGRANT OF RIGHT OF WAY

INDENTURE made this first day of July A.D. 1946, by and between ED LAVALLEUR and LUCINDA LAVALLEUR, husband and wife, and DELLA LAVALLEUR, single, parties of the first part, and VIRGIL E. SMITH, party of the second part:

WHEREAS, the parties of the first part are seized of an estate in fee simple of a parcel of land described as

Commencing Seventy-three (73) feet South of the Northwest corner of Lot One (1) in Block Thirty-one (31) of the Original Town Plat of the City of Winterset, Madison County, Iowa, thence East 44 feet, thence South 12 feet, thence East 22 feet to the East line of said Lot, thence South along the East line of said Lot 47 feet, thence West along the South line of said Lot 66 feet, thence North on the West line of said Lot 59 feet to the point of beginning;

and WHEREAS, the party of the second part is seized of an estate in fee simple of a parcel of land described as

Commencing at the Northeast corner of Lot One (1) in Block Thirty-one (31) Original Town Plat of the City of Winterset, Madison County, Iowa, thence West along the North Property line 66 feet to the West side of Lot One, thence South along the West side of Lot One 73 feet, thence East 44 feet, thence South 12 feet, thence East 22 feet to the East line of Lot One, thence North along the East line of Lot One 85 feet to the place of beginning;

and, WHEREAS, there is a cement approach or roadway on the east side of the real estate owned by parties of the first part which connects with the real estate owned by the party of the second part and described as

Commencing at a point 73 feet South and 34 feet East of the Northwest corner of Lot One (1) in Block Thirty-one (31) of the Original Town of Winterset, Iowa, thence Southeast on a straight line to the Southeast corner of said Lot One, thence North on the East line thereof 47 feet, thence West 22 feet, thence North 12 feet, thence West 10 feet to the place of beginning;

and, WHEREAS, for the consideration hereinafter mentioned the parties of the first part have agreed to grant to party of the second part a right-of-way over the said cement approach or driveway as hereinafter expressed.

NOW, THIS INDENTURE WITNESSETH: That, in pursuance of the said agreement and in con-

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J. H. WELCH PRtg. CO., DES MOINES 7896

sideration of the sum of One Dollar (\$1.00) by party of the second part paid to parties of the first part, receipt whereof is hereby acknowledged, the parties of the first part hereby grant unto party of the second part, his heirs and assigns:

Full and free right and liberty for him and them, his and their tenants, servants, visitors, licensees, assignors, or holders in interest in common with all other persons having the like right for a period of ninety-nine (99) years, on foot or in vehicles for all purposes connected with the use and enjoyment of said land of the party of the second part for whatever purpose the said land may be from time to time lawfully used and enjoyed, to pass and repass along the said way for the purpose of going from the street on the east of the land above described to the property owned by party of the second part.

To hold the said right of way hereby granted to party of the second part, his heirs and assigns, for the period hereinbefore granted as appurtenant to the said land of the party of the second part and every part thereof.

IN WITNESS WHEREOF the parties of the first part have hereunto set their hand the day and year first above written.

Ed Lavalleur
Lucinda Lavalleur
Della Lavalleur

STATE OF IOWA MADISON COUNTY)SS

On this 1st day of July A.D. 1946, before me, the undersigned, a Notary Public in and for said County and State, came Ed Lavalleur, Lucinda Lavalleur and Della Lavalleur, personally to me known to be the identical persons whose names are affixed to the above instrument as grantors and acknowledged the execution of the same to be their voluntary act and deed for the purposes therein expressed.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed my seal on the date last above written.



Charles D. Van Werden
Notary Public in and for said County.