

Deed Record No. 70, Madison County, Iowa

Chicago, Rock Island & Pacific R. R. Co.,
To #269
The Public. No fee.

Filed for record the 31 day of January
A. D. 1933, at 1:42 o'clock P. M.

Maggie Reese Hobbs, Recorder.
Jessie Allgeyer, Deputy.

GRANT OF RIGHT OF WAY
FOR PUBLIC ROAD PURPOSES.

THIS INDENTURE WITNESSETH: That THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY, a corporation organized and existing under and by virtue of the laws of the States of Illinois and Iowa, for and in consideration of the sum of Four Hundred Seventy-five and 00/100 (\$475.00) Dollars and other good and valuable considerations, paid by IOWA

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STATE HIGHWAY COMMISSION, the receipt whereof is hereby acknowledged, hereby grants, conveys and dedicates, subject to the terms and restrictions hereinafter set forth, to the Public, forever, for the purpose of a public highway and for no other purpose, a right of way upon, over and across the following described tracts of land situated in the County of Madison, and State of Iowa, to-wit:

Commencing at the Northwest corner Block Fifteen (15) of the original town of Bevington, Section Twenty-five (25), Township Seventy-six (76) North, Range Twenty-six (26) West, thence south Eighty-nine degrees Ten minutes ($89^{\circ} 10'$) East Fifty-seven and Forty-nine (57.49) feet along the north line of Block Fifteen (15), thence South Seventy-four degrees Twenty-one minutes ($74^{\circ} 21'$) West Fifty-nine and Sixty-seven hundredths (59.67) feet; thence North Sixteen and Ninety-four hundredths (16.94) feet along the West line of Block Fifteen (15) to the point of beginning, said tract containing Eleven Hundredths ($.011$) acres more or less.

Also, commencing at the Northwest corner of Lot Four (4), Block Fourteen (14) of the original town of Bevington, Section Twenty-five (25), Township Seventy-six (76) North, Range Twenty-six (26) West, thence South Eighty-nine degrees Ten minutes ($89^{\circ} 10'$) East Two Hundred Sixty-four (264) feet, along the north line of Block Fourteen (14); thence South Thirty-five and Sixty-four Hundredths (35.64) feet; thence South Seventy-four degrees Twenty-one minutes ($74^{\circ} 21'$) West Two Hundred Forty-nine and Two Tenths (249.2) feet; thence southwesterly Twenty-four and Nine Tenths (24.9) feet along a Two Thousand Two Hundred Fifty-two (2252) foot curve concave southerly, thence north One Hundred Thirteen and Four Tenths (113.4) feet along the west line of Lot Four (4), Block Fourteen (14), to the point of beginning, said tract containing Four Hundred Sixty-one Thousandths ($.461$) acres more or less.

Also, commencing at the Northeast corner of Lot one (1), Block Thirteen (13), of the original town of Bevington Section Twenty-five (25), Township Seventy-six (76) North, Range Twenty-six (26) West; thence South One Hundred Thirty-two (132) feet along the east line of Lot 1, Block 13; thence North Eighty-nine degrees Ten minutes ($89^{\circ} 10'$) West One Hundred Sixty-four and Four Tenths (164.4) feet along the south line of the north Half Block Thirteen (13); thence North Thirty-nine degrees One minute ($39^{\circ} 01'$) East one Hundred Sixty-eight and Two Tenths (168.2) feet; thence South Eighty-nine degrees Ten minutes ($89^{\circ} 10'$) East fifty-eight and Seven Tenths (58.7) feet along the north line of Block Thirteen (13) to the point of beginning, said tract containing Three Hundred Thirty-eight Thousandths (0.338) acres more or less.

Also, commencing at the Northwest corner Lot Five (5), Block Thirteen (13) of the original town of Bevington, Section Twenty-five (25), Township Seventy-six (76) North, Range Twenty-six (26) West, thence South Eighty-nine (89) degrees Ten (10) minutes east Eighty-six and Six Tenths (86.6) feet along the north line of the south Half Block Thirteen (13) to the point of beginning; thence South Eighty-nine degrees Ten Minutes ($89^{\circ} 10'$) East One Hundred Forty-four and Three Tenths (144.3) feet along the north line of the south Half Block Thirteen (13); thence southwesterly Two hundred Thirty-three and Two Tenths (233.2) feet along a Two Thousand Two Hundred Fifty-Two (2252) foot radius curve concave southeasterly, thence North Thirty-nine degrees One minute ($39^{\circ} 01'$) East One Hundred Fourteen and Three Tenths (114.3) to the point of beginning, said tract containing One Hundred Thirty-eight Thousandths (0.138) acres more or less.

It is expressly understood and agreed that the Iowa State Highway Commission will cause to have moved the right of way fence of said Railway Company, and that they will relocate the same in its new location along the Southerly line of said described property without any expense whatsoever to the said Railway Company. The Iowa State Highway Commission further agrees that it will reimburse the said Railway Company for the cost of moving or replacing any telegraph or telephone poles located on the above described land.

It is further expressly understood and agreed that the above mentioned tracts of land are now used by said Railway Company as a right of way or station grounds for its railway and main line tracks, and that this use and control shall continue forever, and that no interest, right or title to the said tracts of land shall pass by this instrument, except the bare right to construct, extend and maintain a public highway at the point and within the limits herein designated and, except for the use of said highway

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as such by the public, title and control of said Railway Company to and over said tracts of land shall remain exclusive and absolute, and nothing in this instrument is intended to prohibit, prevent or restrict the right of said Railway Company, its successors or assigns from constructing, maintaining or operating over, upon and across the tracts of land herein dedicated, such other tracks as it or they may from time to time deem to be necessary or convenient in the operation and conduct of its business as a common carrier.

IN WITNESS WHEREOF, The Chicago, Rock Island and Pacific Railway Company has caused these presents to be executed by its proper officer thereunto duly authorized, and its Corporate Seal to be hereunto affixed this 7th day of November, 1931.

(CORPORATE SEAL)

THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY.

By L. C. Fritch
Vice President.

ATTEST: Carl Nyquist
Secretary.

STATE OF ILLINOIS)
COOK COUNTY) SS

On this 7th day of November, A. D. 1931, before me appeared L. C. Fritch and Carl Nyquist, to me personally known, who being by me duly sworn did say, that they were respectively the Vice President and Secretary of The Chicago, Rock Island and Pacific Railway Company, and that the seal affixed to said 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 L. C. Fritch and Carl Nyquist acknowledged the said instrument to be the voluntary act and deed of said corporation.

NOTARIAL
SEAL

W. Vanderpool
Notary Public
In and for Cook County, Illinois.