

Miscellaneous Record, No. 26, Madison County, Iowa

Grant J. Martens
To
The Public

#58

Fee \$1.00

AFFIDAVIT

Filed for record the 4 day of January
A. D. 1957 at 1:00 o'clock P. M.

Mary E. Welty, Recorder

STATE OF IOWA MADISON COUNTY) SS

I, GRANT J. MARTENS, being first duly sworn, on oath depose and state that I am the son of F. W. Martens, deceased, and of Anna M. Martens, deceased; that I am Trustee under the Last Will and Testament of the said F. W. Martens.

That wherever in the chain of title to the following described real estate, to-wit:

South Half of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, and the Southeast Quarter of Section 11; and the West 20 acres of the Southwest Quarter of Section 12, all in Township 77 North, Range 28, West of the Fifth P.M., Madison County, Iowa,

the names Anna M. Martens or Anna Martens appear, they refer to one and the same identical individual, the mother of this affiant and the surviving spouse of F. W. Martens, the said Anna M. Martens having died September 19, 1956.

That I further know of my own personal knowledge that wherever in the chain of title to the above described real estate the names Arthur Otto Martens or Arthur O. Martens appear, they refer to one and the same identical individual, being a son of the said F. W. Martens, deceased, and one of the residuary legatees under the Last Will and Testament of F. W. Martens.

That I further know of my own personal knowledge that wherever in the chain of title to the above described real estate the names Louis W. Martens or L. W. Martens appear, they refer to one and the same identical individual, being a son of the said F. W. Martens, deceased, and one of the residuary legatees under the Last Will and Testament of F. W. Martens.

I further depose and state that I have no personal interest in said real estate and make this affidavit at the request of the present owner in support of the title thereto; that I have read said Affidavit and know the contents thereof and that the statements and allegations therein contained are true and correct as I verily believe.

Grant J. Martens

Subscribed and sworn to before me this 24 day of December A.D. 1956.

NOTARIAL
SEAL

Martha K. Paton Notary Public
in and for said County.

Mrs. E. S. Compton
To

#215

Fee \$1.60

Filed for record the 10 day of January
A. D. 1957 at 3:30 o'clock P. M.

Charles A. & Myrtle Thrailkill

Mary E. Welty, Recorder

EASEMENT AGREEMENT

THIS AGREEMENT made and entered into this 21 day of November A. D., 1956, by and between MRS. E. S. COMPTON of Earlham, Iowa, Party of the First Part, which expression shall include her heirs, executor, administrator, agent or assign where the context so requires or admits and CHARLES THRAILKILL and MYRTLE THRAILKILL, of Earlham, Iowa, Parties of the Second Part, which expression includes their heirs, executors, administrators, agents or assign where the context so requires or admits, WITNESSETH:

WHEREAS the Parties of the Second Part own and have title to that real estate and real property located in the Town of Earlham, Madison County, Iowa, described as follows to-wit:

The East Half (E½) of Lots Three (3), Four (4), and Five (5), of Block One (1), Allen's Addition to the Town of Earlham, Madison County, Iowa, and

WHEREAS the Party of the First Part prior to the sale of said lots to the Parties of the Second Part had constructed and installed one certain sewer line across said lots connecting the same to her house and the sewer line as owned and operated by the Town of Earlham in Plum Street, and

Miscellaneous Record, No. 26, Madison County, Iowa

WHEREAS the Party of the First Part desires to maintain and repair such sewer line as, if and when the same requires such maintenance or repairs,

NOW, THEREFORE, IT IS HEREBY AGREED as follows:

The Parties of the Second Part do hereby grant, assign and set over to the Party of the First Part the right of free ingress and egress, in and from and over said easement for the purpose of maintaining or repairing such sewer pipes and in so doing, the Party of the First Part hereby agrees to hold and save the Second Parties harmless from any and all damage arising from and by the acts of the First Party in the use of the right, easement and the right of way herein granted, and agrees to pay any damage or damages which may arise to the property premises or right of the Parties of the Second Part through First Party's use, occupation and possession of the right for the sewer line herein granted.

To have and to hold the said easement, right, and right of way unto the Party of the First Part, her successors or assigns, for as long as the First Party shall desire to so maintain such sewer lines and under the specific conditions and restrictions and considerations specifically hereinbefore set forth.

In Witness Whereof, the parties have hereunto set their names.

Mrs. E. S. Compton

PARTY OF THE FIRST PART

Charles A. Thrailkill

Myrtle Thrailkill

PARTIES OF THE SECOND PART

STATE OF IOWA COUNTY OF MADISON: SS

On this 21 day of November, A. D., 1956, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Mrs. E. S. Compton, Charles Thrailkill and Myrtle Thrailkill, to me known to be the identical 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. Claude Peer Notary Public
in and for said County.

State of Iowa, County of Madison ss.

On this 9 day of January A. D., 1957, before me, the undersigned, a Notary Public in and for said County, and State, personally appeared Charles A. Thrailkill and Myrtle Thrailkill to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

In Witness Whereof, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

NOTARIAL
SEAL

H. Claude Peer Notary Public
in and for said County and State.
My commission expires July 4, 1957.

H. C. Foshier

#227

To

Fee \$1.00

The Public

AFFIDAVIT

Filed for record the 11 day of January
A. D. 1957 at 11:15 o'clock A. M.

Mary E. Welty, Recorder

State of Iowa, Madison County, ss.

I, H. C. Foshier, being sworn, depose and say as follows:

That I am now and have been for more than twenty years last past a resident of Madison County, Iowa; that I am well acquainted with the Lloyd Callison and Hazel Callison who are the grantors in a deed dated Dec. 7, 1956, filed for record Dec. 11, 1956, and recorded at page 292 of Deed Record 87, of the records of said County, conveying real estate described as: a tract of land commencing at a point 33 feet South and 379½ feet West of the of the Northeast corner of SE¼ SE¼ SW¼ of Section 36, in Township 76 North, of Range 28 West of the 5th P. M., and running thence West 82½ feet, thence South 99 feet, thence East 82½ feet, thence North 99 feet to the place of beginning, and know that said grantors are the same persons as the Lloyd B. Callison and Hazel D. Callison who are named as