

Deed Record, No. 84, Madison County, Iowa

Byron N. Whitworth #2861 Filed for record the 26 day of April  
To Macksburg Consolidated Fee \$ .80 A. D. 1950 at 9:00 o'clock A. M.  
School Corporation Wilma M. Wade, Recorder

GRANT OF RIGHT OF WAY

For and in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, Byron N. Whitworth, single, does hereby grant, convey and warrant unto the Macksburg Comsolidated School Corporation, its successors, assigns and lessees, the right and easement to erect, reconstruct, operate and maintain a water pipe line together with an electric line and the poles in, upon, across and over certain lands owned by the Grantors situated in Madison County, State of Iowa, and described as follows:

Commencing at a point 264 feet West of the South-east Corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Sixteen (16), Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P.M., and running thence North 177 feet, thence East 7 feet, thence North 219 feet, thence West 225 feet, thence South 296 feet, thence West to a point 66 feet West of the West line of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ), thence South 100 feet more or less to a point 66 feet West of the Southwest Corner of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ), thence East along the South line of the North Half (N $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Sixteen (16) to the place of beginning,

together with the right of ingress and egress from such lands for the purpose of constructing, repairing or replacing said water pipe line or electric line, it being further understood that no more than one pole shall be located on Grantors property and said poles shall be so located as not to interfere with any land now under cultivation.

That Grantee herein shall repair any damage to the property of the Grantor or pay any substantial damage which may be caused to Grantors property by the erection, reconstruction, operation and maintenance of said water pipe line or electric line, said damages, if not mutually agreed upon, shall be ascertained by three (3) disinterested persons, one (1) of whom shall be selected by each, Grantor and Grantee and the third by the two (2) so selected. The damages determined by such persons or a majority of them shall be conclusive as to the facts.

Subject to the foregoing this grant shall be binding upon the heirs, successors and assigns of the undersigned.

Witness the hand and seal of the Grantor this 25th day of April, 1950.

(NO CORPORATE SEAL)  
Byron N Whitworth  
Grantor  
Grantor

Accepted by Macksburg Consolidated  
School Corporation  
By Frank Hatfield President  
Luella Whitworth Secretary

STATE OF IOWA COUNTY OF MADISON ) ss

I, Earle Whitworth, do hereby certify that Byron N. Whitworth, personally known to me to

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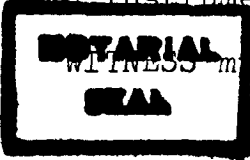
Acres-Blackmar Co., Burlington. 48029

be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 25th day of April, A. D. 1950.  
(Notarial Seal) Earle Whitworth Notary Public  
in and for Madison County, Iowa.

STATE OF IOWA COUNTY OF MADISON ) ss

On this 25th day of April, 1950, before me, a Notary Public in and for said County in the State aforesaid, personally appeared Frank Hatfield Pres and Luella Whitworth Secy, to me personally known, each being by me duly sworn, did say that the said Frank Hatfield Pres. is the President, and the said Luella Whitworth Secy is the Secretary of Macksburg Consolidated School Dist the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said Frank Hatfield Pres. and Luella Whitworth Secy acknowledge said instrument to be free and voluntary act and deed of said corporation.



hand and seal the day and year last above written.

Earle Whitworth Notary Public  
in and for Madison County, Iowa.