

Deed Record, No. 84, Madison County, Iowa

† Claire M. Ballard & wife
To
Macksburg Consolidated
School Corporation

#2862
Fee \$.70✓

Filed for record the 26 day of April
A. D. 1950 at 9:03 o'clock A. M.
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, Claire M. Ballard and Aline Ballard, husband and wife, do hereby grant, convey and warrant unto the Macksburg Consolidated 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:

The Southeast Quarter (SE $\frac{1}{4}$) 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., except a tract commencing at the Northeast Corner of said Forty (40) Acre tract running thence South 466.7 feet, thence West 466.7 feet, thence North 466.7 feet, thence East 466.7 feet to the place of beginning,

together with the right of ingress to 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 none poles 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)

Claire M. Ballard
Grantor
Aline Ballard
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 Claire M. Ballard & Aline Ballard, personally known to me to be the same persons whose names are subscribed to the foregoing instrument,

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appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their 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 is the President, and the said Luella Whitworth is the Secretary of Macksburg Consolidated School District 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 the free and voluntary act and deed of said corporation.



WITNESS my hand and seal the day and year last above written.

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