

Deed Record, No. 80, Madison County, Iowa

Fred B. Martens and Fernanda Martens #2248 Filed for record the 23 day of June
 Husband and wife, joint owners A.D. 1944 at 10:10 o'clock A.M.
 To Fee \$.80 ✓ Pearl E. Shetterly, Recorder
 STATE OF IOWA

EASEMENT FOR PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS: That Fred B. Martens and Fernanda Martens, husband and wife, Joint owners of Madison County, State of Iowa, in consideration of the sum of Six Hundred Ninety-seven and 60/100 DOLLARS in hand paid by Iowa State Highway Commission, do hereby sell and convey unto the STATE OF IOWA, for road purposes and for use as a Public highway, the following described premises situated in the County of Madison, State of Iowa, to-wit:

Beginning at the E. $\frac{1}{4}$ corner of Section 12, Township 77 North, Range 28 West, thence South 1275.8 feet along the East line of the S.E. $\frac{1}{4}$ of said Section 12, thence Southwesterly 203.1 feet along a 606 foot radius curve concave Northwesterly and tangent at its beginning to a line with a bearing of South 18° 59 $\frac{1}{2}$ ' West, thence South 34° 58 $\frac{1}{2}$ ' West 480.5 feet, thence South 38° 12' West 536.1 feet, thence Southwesterly 424.3 feet along a 2805 foot radius curve concave Southwesterly and tangent at its beginning to the preceeding course, thence North 88° 42' West 190.1 feet, thence North 38° 12' East 1073.0 feet, thence Northeasterly 1231.3 feet along a 1850 foot radius curve concave Northwest-erly and tangent at its beginning to the preceeding course, thence North 0° 04' East 630.8 feet, thence North 89° 59' East 69.6 feet to the point of beginning and containing 3.87 acres more or less exclusive of the present established highway and lying wholly within the S.E. $\frac{1}{4}$ of said Section 12.

NOTE: The bearing of the East line of the S.E. $\frac{1}{4}$ of Section 12, Township 77 North, Range 28 West is taken as due North.

ALSO: Beginning at the W. $\frac{1}{4}$ corner of Section 7, Township 77 North, Range 27 West, thence North 89° 59' East 60.4 feet, thence South 0° 04' West 631.0 feet, thence South 4° 44 $\frac{1}{2}$ ' West 322.8 feet, thence South 125.9 feet, thence Southwesterly 200.9 feet along a 606 foot radius curve concave Northwest-erly and tangent at its beginning to the preceeding course, thence North 1275.8 feet along the West line of the S.W. $\frac{1}{4}$ of said Section 7 to the point of beginning and containing 0.49 acres more or less exclusive of the present established highway and lying wholly within the N.W. $\frac{1}{4}$ -S.W. $\frac{1}{4}$ of said Section 7.

NOTE: the bearing of the West line of the S.W. $\frac{1}{4}$ of Section 7, Township 77 North, Range 27 West is taken as due North.

Notice is hereby given of the existence of a contract dated August 11, 1943 between the parties hereto for borrow dirt for which payment has been made and which is to be removed at a future date from a strip of land 100 feet wide West of Highway centerline from Station 494+48 to Station 508+39.

It is agreed between the parties that the grantor herein may continue in the possession and use of the right of way and borrow area acquired herein untill such time as grantee desires to utilize the same; and grantor agrees to move his fence from the right of way and borrow area acquired within 15 days of receipt of verbal notice from the engineer so to do and without expense to the grantee and further specifically waives the 60 days notice otherwise required by statute.

and we hereby covenant with the said STATE OF IOWA that we are lawfully seized of said premises; that they are free from incumbrance; that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, and the said Fred B. Martens and Fernanda Martens hereby relinquishes right of dower in and to the premises hereinbefore conveyed.

Signed this 30th day of March A.D. Nineteen Hundred and Forty-Four.

Fred B. Martens
Fernanda Martens

STATE OF IOWA, Madison County,)ss.

On this 30th day of March A.D. 1944, before me Carl. H. Lane a Notary Public in and for Madison County, State of Iowa, personally appeared Fred. B. Martens and Fernanda Martens to me known to be the persons named in and who executed the foregoing instrument, and ~~and acknowledged~~ that they executed the same as their voluntary act and deed.

SEAL

Carl.H. Lane
Notary Public in and for said County. x