

Deed Record, No. 77, Madison County, Iowa

J. H. WELCH PRtg. CO., DES MOINES 7659

PENNSYLVANIA-DIXIE CEMENT CORPORATION

#2227

Filed for record the 31 day of
March A.D. 1941 at 4:28 o'clock
P.M.

To

Fee \$.80 ✓

Wilbur Clair Hill and Sadie Hill

Pearl E. Shetterly, Recorder

D E E D

KNOW ALL MEN BY THESE PRESENTS:

That Pennsylvania-Dixie Cement Corporation of Newcastle

County and State of Delaware, a corporation organized and existing under the laws of Delaware, in consideration of the sum of One Dollar and other good and sufficient consideration in hand paid by Wilbur Clair Hill and Sadie Hill, his wife, of Madison County and State of Iowa, do hereby SELL AND CONVEY unto the said Wilbur Clair Hill and Sadie Hill the following described premises situated in the County of Madison and State of Iowa, to wit:

That portion of the East Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Thirty-three (33), (containing 16.61 acres, more or less), and that portion of the West Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Thirty-Four (34), (containing 17.31 acres, more or less),

lying North of the right of way of the Chicago, Rock Island and Pacific Railway Company; all in Township Seventy-six (76) North, of Range Twenty-seven (27) West of the 5th P.M.

The Pennsylvania-Dixie Cement Corporation, its grantees and assigns reserve the right to use a certain lane about twenty-eight (28) feet wide and about six hundred twenty-five (625) feet east of the west line of said tract for all purposes, in passing to and from stone quarries to the south of said railroad track.

The premises hereby conveyed are, and always shall be, subject, subordinate and subservient to the rights of Pennsylvania-Dixie Cement Corporation, its successors, grantees and assigns, to quarry, blast and do all other work incidental to the operation of the stone quarries lying south of the above-mentioned railroad right of way, and also subject, subordinate and subservient to any and all damage which may be sustained by the land hereby conveyed and by the buildings now or hereafter erected thereon, which may be caused by or result from said quarrying, blasting and the doing of all such other incidental work. This covenant is intended to be and shall be construed as a covenant running with the land, and as an easement imposed upon the property hereby conveyed in favor of the the balance of the property lying south of said railroad right of way; and said Wilbur Clair Hill, Sadie Hill his wife, and their respective heirs, legal representatives, successors, assigns and all grantees from them, or either of them, shall hold the property hereby conveyed, or any portion thereof, subject to the covenant or easement herein set forth; and said Wilbur Clair Hill, Sadie Hill, his wife, for themselves and for their respective heirs, legal representatives, successors, assigns and all grantees from them, or either of them, shall and do hereby release and relieve said Pennsylvania-Dixie Cement Corporation, and its successors, grantees and assigns, from any and all claims for injury or damage arising out of the aforesaid quarrying, blasting and the doing of such other incidental work. This covenant or easement shall be inserted and included in all future conveyances of the property, hereby conveyed, or of any parts or portions thereof.

And Pennsylvania-Dixie Cement Corporation hereby covenants with the said Wilbur Clair Hill and Sadie Hill that it holds said premises by good and perfect title; that it has good right and lawful authority to sell and convey the same; that they are free and clear of all liens and incumbrances whatsoever, except as above stated.

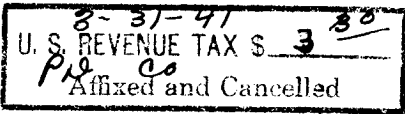
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And they covenant to WARRANT AND DEFEND the said premises against the lawful claims of all persons whomsoever, except as above stated.

IN WITNESS WHEREOF said corporation has caused these presents to be signed and attested this 25th day of March, 1941.

(corporate seal)

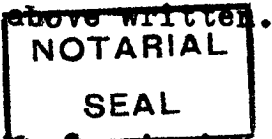


PENNSYLVANIA-DIXIE CEMENT CORPORATION
By John A. Miller President
By George Kilian Secretary

STATE OF NEW YORK COUNTY OF NEW YORK)SS;

On this 25th day of March, 1941, before me, a Notary Public, in and for said County and State, personally appeared John A. Miller and George Kilian, known to be the identical persons who signed the foregoing instrument, and who, being by me first duly sworn, did say that they are the President and Secretary, respectively, of Pennsylvania-Dixie Cement Corporation, Newcastle/Delaware, a corporation, and that the seal affixed to said instrument is the corporate seal of said corporation; that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said John A. Miller and George Kilian acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal the day and year last



Abbie C. Cosman Notary Public
Notary Public Kings County Clerk's No. 30,
Register's No. 2034 New York County Clerk's
No. 70, Register's No. 2-C-81