

Deed Record No. 72, Madison County, Iowa

Acres-Blackmar Co. Burlington 2080

Huldah Johnson Foglesong

#76

To

No fee.

Madison County, Iowa

Filed for record the 6 day of
January A.D.1937 at 4:55 o'clock
P.M.
Valda C. Bishop, Recorder
Pearl E. Shetterly, Deputy

EASEMENT FOR PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS:

That Huldah Johnson Foglesong (Single) of Madison County, State of Iowa, in consideration of the sum of One hundred sixty two and 50/100 Dollars in hand paid by Madison County, Iowa, do hereby sell and convey unto the said Madison County, 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:

Commencing at the S.W. Corner of Section 35-74-26 W; thence east 1324.0 ft to the point of beginning; thence west 50.0 ft; thence northeasterly 478.9 ft along a 1960.0 ft radius curve concave northeasterly with a central angle of 14°-00'; thence north 14°-00' east 1062.1 ft; thence northeasterly 349.5 ft along a 1860 ft radius curve concave easterly with a central angle of 10°-46'; thence north 3°-14' east, 496 ft; thence northwesterly 443.3 ft along an 1860 ft radius curve concave northwesterly with a central angle of 13°-39'5"; thence east 50.8 ft; thence southerly 446.1 ft along an 1910 ft radius curve concave northwesterly, with a central angle of 13°-23'; thence south 3°-14' west 496 ft; thence southwesterly 358.9 ft along a 1910 ft radius curve, concave easterly with a central angle of 10°-46'; thence south 14°-00' west 1062.1 ft; thence southwesterly 466.7 ft along a 1910 ft radius curve concave northeasterly with a central angle of 14°-00' to the point of beginning.

Also commencing at the southwest corner of section 35-74-26; thence east 1324 ft to the point of beginning; thence northeasterly 446.7 ft, along a 1910 ft radius curve concave northeasterly with a central angle of 14°-00'; thence north 14°-00' east 1062.1 ft; thence northeasterly 358.9 ft along a 1910 ft radius curve concave easterly with a central angle of 10°-46'; thence north 3°-14' east 496 ft; thence northwesterly 372.4 ft along a 1910 ft radius curve concave northwesterly with a central angle of 11°-23'; thence north 81°-51'; east 50.0 ft; thence southerly 389.4 ft along a 1960 ft radius curve concave northwesterly with a central angle of 11°-23'; thence south 3°-14' west 496 ft; thence southwesterly 368.3 ft along a 1960 ft radius curve concave easterly with a central angle of 10°-46'; thence south 14°-00' west 1062.1 ft thence southwesterly 211 ft along a 1860 ft radius curve northwesterly with a central angle of 6°-30'; thence north 82°-30' west 10 ft; thence southwesterly 244.8 ft along a 1870 ft radius curve concave northeasterly with a central angle of 7°-30'; thence west 40 ft to the point of beginning, and containing 3.7 acres more or less exclusive of the present established highway.

Note: The bearing of the south line of the S W 1/4 of Sec 35 is assumed to lie east and west.

and I hereby covenant with the said Madison County that I am lawfully seized of said premises; that they are free from incumbrance Except a Mtg. of \$2,000 given to G.H.Dabney, dated Dec. 1, 1932, and recorded in Mtg. 68, page 345. that I have good and lawful authority to sell and convey the same, and I do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever and the said - hereby relinquishes - right of dower in and to the premises hereinbefore conveyed.

Signed this 25 day of Sept, A.D.1936.

Huldah Johnson Foglesong

STATE OF IOWA, Madison County, ss.

On this 25 day of Sept, A.D.1936, before me I.E.Holmes a Notary Public in and for said County, personally appeared Huldah Johnson Foglesong to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as Her voluntary act and deed.

(NOTARIAL SEAL)

I.E.Holmes
Notary Public in and for said County.

For a valuable consideration, in hand paid by Madison County, Iowa, the undersigned hereby waives and quit claims unto the said county, for road and highway purposes, any interest he may have in the premises described in the foregoing instrument.

Signed this 25 day of Sept A.D.1936.

Huldah Johnson Foglesong

Deed Record No. 72, Madison County, Iowa

STATE OF IOWA, Madison County, ss.

On this 25 day of Sept., A.D.1936, before me I.E.Holmes a notary public in and for said county personally appeared Huldah Johnson Foglesong to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

(NOTARIAL SEAL)

I.E.Holmes
Notary Public in and for Madison County.

WAIVER OF PRIORITY OF MORTGAGE LIEN AS TO EASEMENT FOR PUBLIC HIGHWAY.

KNOW ALL MEN BY THESE PRESENTS:

That we, Mary Dabney and Charles Dabney, Executors of the Estate of G.H.Dabney, Deceased, of Madison County, State of Iowa, do hereby waive the priority of a certain real estate mortgage bearing date of December 1, 1932, made and executed by Huldah Johnson Foglesong to G.H.Dabney, now deceased, and recorded in the office of the County Recorder of Madison County, State of Iowa, in Book 68 of Real Estate Mortgages, on Page 345, as to an easement for road purposes and for use as a public highway, granted to the County of Madison, State of Iowa, by Huldah Johnson Foglesong on the 25th day of September, 1936, for the consideration of \$162.50, said easement for road purposes being described as follows, to-wit:

Commencing at the S.W. Corner of Section 35-74-26 W; thence east 1324.0 ft. to the point of beginning; thence west 50.0 ft; thence northeasterly 478.9 ft. along a 1960.0 ft. radius curve concave northeasterly with a central angle of 14°-00'; thence north 14°-00' east 1062.1 ft; thence northeasterly 349.5 ft. along a 1860 ft. radius curve concave easterly with a central angle of 10°-46'; thence north 3°-14' east, 496.ft; thence northwesterly 443.3 ft. along an 1860 ft. radius curve concave northwesterly with a central angle of 13°-39'5"; thence east 50.8 ft; thence southerly 446.1 ft. along an 1910 ft. radius curve concave northwesterly with a central angle of 13°-23'; thence south 3°-14' west 496.ft; thence southwesterly 358.9 ft. along a 1910 ft. radius curve, concave easterly with a central angle of 10°-46'; thence south 14°-00' west 1062.1 ft; thence southwesterly 466.7 ft. along a 1910 ft. radius curve concave northeasterly with a central angle of 14°-00' to the point of beginning.

Also commencing at the southwest corner of section 35-74-26; thence east 1324 ft. to the point of beginning; thence north-easterly 446.7 ft. along a 1910 ft. radius curve concave north-easterly with a central angle of 14°-00'; thence north 14°-00' east 1062.1 ft; thence northeasterly 358.9 ft. along a 1910 ft. radius curve concave easterly with a central angle of 10°-46'; thence north 3°-14' east 496 ft; thence northwesterly 379.4 ft. along a 1910 ft. radius curve concave northwesterly with a central angle of 11°-23'; thence north 81°-51'; east 50.0 ft; thence southerly 389.4 ft. along a 1960 ft. radius curve concave northwesterly with a central angle of 11°-23'; thence south 3°-14' west 496 ft; thence southwesterly 368.3 ft. along a 1960 ft. radius curve concave easterly with a central angle of 10°-46'; thence south 14°-00' west 1062.1 ft; thence southwesterly 211 ft. along a 1860 ft. radius curve northeasterly with a central angle of 6°-30'; thence north 82°-30' west 10 ft; thence southwesterly 244.8 ft. along a 1870 ft. radius curve concave northeasterly with a central angle of 7°-30'; thence west 40 ft. to the point of beginning, and containing 3.7 acres more or less exclusive of the present established highway.

Note; The bearing of the south line of the S W $\frac{1}{4}$ of Section 35 is assumed to lie east and west.

The said mortgagees, Mary Dabney and Charles Dabney, Executors of the Estate of G.H. Dabney, Deceased, hereby consent that the full consideration for said easement, to-wit: the sum of \$162.50, may be paid to Huldah Johnson Foglesong.

Mary Dabney
Mary Dabney
and
Charles Dabney
Charles Dabney, Executors
of the Estate of G.H.Dabney, Deceased.

Now on this 2nd day of January , 1937, before me, Shirley A. Webster, a Notary Public in and for Madison County, Iowa, personally appeared Mary Dabney and Charles Dabney, Executors of the Estate of G.H.Dabney, Deceased, to me known to be the persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL

SEAL

Clair E. Hamilton
Notary Public in and for Madison County, Iowa.