

Deed Record No. 72, Madison County, Iowa

Fred Binns & Wife

#3194

Filed for record the 2 day of
July A.D.1937 at 11:07 o'clock
A.M.

To

Fee, None. ✓

State of Iowa

Valda C. Bishop, Recorder

Material #32

EASEMENT FOR PUBLIC HIGHWAY.

KNOW ALL MEN BY THESE PRESENTS: That Fred Binns and Margaret Binns, his wife of Madison County, State of Iowa, in consideration of the sum of One hundred fifty and no/100 (\$150.00) 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:

Commencing at the SE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T75N, R29W, thence south 88° 24' west 770.1 feet to the point of beginning; thence south 88° 24' west 66.2 feet, thence north 3° 06' east 345.5 feet, thence south 68° 23' east 69.6 feet, thence south 3° 06' west 317.9 feet to the point of beginning, containing 0.48 acre, more or less, exclusive of the present established highway.

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 Margaret Binns hereby relinquishes right of dower in and to the premises hereinbefore conveyed.

Signed this 29 day of June A.D. Nineteen Hundred and Thirty Seven .

STATE OF IOWA

} SS.

MADISON COUNTY

Fred Binns
Margaret Binns

On this 29 day of June A.D.1937, before me Rex V. Johnson, a Deputy Clerk of District Court in and for Madison County, State of Iowa personally appeared Fred Binns and Margaret Binns 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.

(DISTRICT COURT SEAL)

Rex V. Johnson
Deputy Clerk of District Court in and for
said county.

Instructions: If there be any encumbrances fill out blank waivers on reverse side.

EASEMENT PRIORITY AGREEMENT

For a good and valid consideration David D. Weems, Guardian of William Roy Weems agrees that the easement for road purposes, and for use as a public highway granted the State of Iowa, in and to the premises described in the instrument on the reverse side hereof, shall be superior to the lien of the mortgage recorded in Book 68, Page 342, of the records in the office of the Recorder of Madison County, at Winterset, Iowa.

State of Iowa, County of Madison, ss.

David D. Weems, Gdn.

On this 29th day of June, A.D.1937, before me , a Deputy Clerk of District Court in and for said County, personally appeared David D. Weems, Guardian of William Roy Weems to me known to be the person who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

(DISTRICT COURT SEAL)

Rex V. Johnson,
Deputy Clerk of District Court in and for said County.

Instructions. Use a corporate or personal form of waiver and acknowledgement as required.