

Deed Record No. 72, Madison County, Iowa

Acres-Blackmar Co. Burlington 2080

George W. Drake and wife

#4097

Filed for record the 10 day of
September A.D.1937 at 10:48 o'clock
A.M.

To

No Fee. ✓

Valda C. Bishop, Recorder

State of Iowa

EASEMENT FOR PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS: That George W. Drake and Amy Drake, his wife, of Madison County, State of Iowa, in consideration of the sum of Three thousand four hundred and no/100 (\$3,400.00) Dollars in hand paid by Iowa State Highway Commission, do hereby sell and convey unto the STATE OF IOWA, for use as a Rock Quarry the following described premises situated in the County of Madison, State of Iowa , to-wit:

Commencing at the NE Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T75N, R29W, thence south 372.3 feet, thence west 570.8 feet to the point of beginning; thence south 0° 33' west 697.0 feet, thence north 88° 14' east 223.0 feet, thence south 1° 56' west 150.0 feet, thence south 69° 34' west 234.7 feet, thence north 85° 56' west 227.6 feet, thence north 2° 54' east 902.9 feet, thence north 88° 46' east 190.3 feet to the point of beginning, containing 5.32 acres.

Also, commencing at the NE Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T75N, R29W, thence south 372.3 feet, thence west 570.8 feet, thence south 88° 46' west 190.3 feet to the point of beginning; thence north 9° 53' west 359.1 feet, thence north 88° 24' east 53.3 feet, thence south 7° 50.5' east 357.7 feet, thence south 88° 46' west 40.5 feet to the point of beginning, containing 0.38 acre.

According to the provisions of contract dated March 31, 1937, this easement is to expire March 31, 1962. 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 Amy Drake hereby relinquishes right of dower in and to the premises hereinbefore conveyed.

Signed this day of A.D. Nineteen Hundred and Thirty-seven.

STATE OF IOWA)
MADISON COUNTY) ss

George W. Drake
Amy Drake.

On this 14th day of June A.D.1937, before me Ernestine M. Handel a Notary Public in and for Madison County, State of Iowa, personally appeared George W. Drake and Amy Drake his wife 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)

Ernestine M. Handel
Notary Public in and for said County .

EASEMENT PRIORITY AGREEMENT

In consideration of ~~\$2,200.00~~ ^(\$2,000.00) on principal and \$200.00 on interest), The Mutual Benefit Life Insurance Company, of Newark, N.J. a corporation, duly incorporated under the laws of the State of New Jersey, agrees that the easement for use as Rock Quarry 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 80, Page 257, of the records in the office of the Recorder of Madison County, Iowa, at Winterset, Iowa.

Attest: Harry H. Allen
Secretary

THE MUTUAL BENEFIT LIFE INSURANCE COMPANY
By Herman G. Hornfeck Vice President
(Corporate Seal)

State of New Jersey)
County of Essex) ss

On this 10th day of August, A.D.1937, before me Franklin Partridge Jr. a Notary Public in and for said county, personally appeared Herman G. Hornfeck and Harry H. Allen, to me personally known, who being by me duly sworn did say that they are the Vice President and Secretary, respectively, of the said ^{The} Mutual Benefit Life Insurance Company, a corporation duly organized under the Laws of the State of New Jersey, and that the seal affixed to said instrument is the seal of said corporation and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors; and the said Herman G. Hornfeck and Harry H. Allen acknowledged the execution of said instrument, to be the

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voluntary act and deed of said corporation by it voluntarily^{ly} executed.

Franklin L. Partridge Jr.
Notary Public in and for said County.
My Commission expires June 3 1940
