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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

Prepared By: Todd R. Hagan, P.E., Madison County Engineer, 1105 E. Court Ave., Winterset, Iowa 50273, Telephone: (515) 462-1136

**CONTRACT**

THIS AGREEMENT made and entered into this 9<sup>th</sup> of June, 2020 A.D.

by and between:

- a) a 51.9686 % undivided fee interest to the DAVID C. RABINOWITZ 2012 Special Trust for the Benefit of Ruth Naomi Rabinowitz;
- b) a 47.5208 % undivided fee interest to the RUTH NAOMI RABINOWITZ Trust;
- c) a .5106 % undivided fee interest to RUTH NAOMI RABINOWITZ, individually;

of the County of Madison, State of Iowa, party of the first part and the Madison County Board of Supervisors acting for Madison County, party of the second part.

**WITNESSETH:**

For good and valuable consideration, the party of the first part hereby agrees to sell and to give an easement or deed to the county for use as a Public Highway the real estate situated in the County of Madison, State of Iowa, to wit:

In Section 10 Township 75N Range 26W Beginning at:  
 Station 100+48.49 to Station 101+25.00 a strip 150.00 - 60.00 feet wide Right side, from  
 Station 101+25.00 to Station 102+00.00 a strip 60.00 - 55.00 feet wide Right side, from  
 Station 102+00.00 to Station 103+50.00 a strip 55.00 - 33.00 feet wide Right side, from

Measured from centerline of proposed highway as shown on plans and Right of Way Acquisition Plat for Project No. BROS-SWAP-C061(116)--SE-61.

Party of the first part agrees that the County may take immediate possession of the above-described real estate and further agrees to convey same to the County for the consideration hereinafter named, on or before the 9<sup>th</sup> day of June, 2020.

The County agrees to purchase the above-described real estate and take easement or deed thereto for road purposes and to pay therefor upon delivery of easement or deed, showing merchantable title.

Approximately <u>0.16</u> acres at \$ <u>7822.07</u> per acre	\$ <u>1,251.53</u>
Approximately <u>19.13</u> rods of new fence at \$ <u>71.03</u> per rod	\$ <u>1,358.80</u>
Other: <u>Extra angle braces for change in fence direction 2 @ \$623.96</u>	\$ <u>1,247.92</u>
General Damage <u>Any and All</u>	\$ <u>500.00</u>
<b>TOTAL</b> .....	<b>\$ <u>4,358.25</u></b>

The County agrees to remove garbage and refuse now and in the future from the above-described real estate as part of the county normal maintenance of the road right of way. The cost of removal shall be paid by the County unless the Party of the First part is in violation of the Madison County General Environmental Health Regulations Chapter 40.



**C O N T R A C T**

IN WITNESS WHEREOF, the Party of the Second Part, does hereby set their hand to this instrument on this 23<sup>rd</sup> day of June, 20 20, at Winterset, Iowa.

MADISON COUNTY  
BOARD OF SUPERVISORS

BY: [Signature]  
PHILLIP CLIFTON, Chairman

BY: [Signature]  
SHELLEY D. KASTER, Madison County Auditor

Party of the Second Part

STATE OF IOWA            )  
  ) ss  
COUNTY OF MADISON    )

On this 23<sup>rd</sup> day of June, 20 20, before me, the undersigned a Notary Public in and for said County and State personally appeared PHILLIP CLIFTON and SHELLEY D. KASTER, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Madison, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its Board of Supervisors, under Roll Call Vote of the Board of Supervisors on the 23<sup>rd</sup> day of June, 20 20, and PHILLIP CLIFTON and SHELLEY D. KASTER, acknowledged the execution of the instrument to be their voluntary act and deed, and the voluntary act and deed of the corporation, by it voluntarily executed.

[Signature]  
Notary Public in and for said County and State of Iowa

