

FILED NO. 000879

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MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA
Telephone: (515) 462-1136

Prepared By: Todd R. Hagan, P.E., Madison County Engineer, P.O. Box 152, Winterset, Iowa 50273, Telephone: (515) 462-1136

CONTRACT

THIS AGREEMENT made and entered into this 10th of January, 2001 A.D.
by and between DOROTHEA M. MACK, TRUST

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	<u>14</u>	Township	<u>74N</u>	Range	<u>26W</u>	Commencing at
Station	<u>60 + 86.91</u>	to Station	<u>63 + 00.00</u>	a strip	<u>99.45 - 85.00</u>	feet wide <u>Right</u> side, from
Station	<u>63 + 00.00</u>	to Station	<u>64 + 00.00</u>	a strip	<u>85.00 - 90.00</u>	feet wide <u>Right</u> side, from
Station	<u>64 + 00.00</u>	to Station	<u>65 + 00.00</u>	a strip	<u>90.00</u>	feet wide <u>Right</u> side, from
Station	<u>65 + 00.00</u>	to Station	<u>67 + 00.00</u>	a strip	<u>90.00 - 100.00</u>	feet wide <u>Right</u> side, from
Station	<u>67 + 00.00</u>	to Station	<u>68 + 00.00</u>	a strip	<u>100.00</u>	feet wide <u>Right</u> side, from
Station	<u>68 + 00.00</u>	to Station	<u>69 + 00.00</u>	a strip	<u>100.00 - 80.00</u>	feet wide <u>Right</u> side, from
Station	<u>69 + 00.00</u>	to Station	<u>70 + 88.96</u>	a strip	<u>80.00</u>	feet wide <u>Right</u> side, from

Measured from centerline of proposed highway as shown on plans and Right of Way Acquisition Plat for Project No. FM-TSF-CO61(55)--5B-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 10th day of Jan., 2001.

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>0.79</u>	acres at \$	<u>2,170.94</u>	per acre	\$ <u>1,715.04</u>
Approximately	<u>64</u>	rods of new fence at \$	<u>20.00</u>	per rod	\$ <u>1,280.00</u>
Other: Extra corner braces - four (4) at \$	<u>200.00</u>	each			\$ <u>800.00</u>
General Damage	<u>Any and All, and Crop Loss</u>				\$ <u>237.00</u>

TOTAL.....\$ 4,032.04

Should the acreage taken for highway or fencing be more or less than shown above, same is to be paid for at the agreed unit prices. Should the highway as finally located require none of the real estate described, this contract becomes null and void. Party of the first part agrees to pay all liens and assessments against the property including taxes payable to the date agreed. Party of the first part is hereby notified of their right of renegotiation pursuant to the provisions of Iowa Code Section 472.52.

This contract will be null and void if a construction contract for the project is not entered into by Madison County by January, 2002.

IN WITNESS WHEREOF, Party of the First Part, does hereby set her hand to this instrument on this 10th day of Jan., 2001, at Winterset, Iowa.

Dorothea M. Mack Trust
Name: DOROTHEA M. MACK, TRUST

Social Security No. [REDACTED]

Name: _____

Social Security No. _____

Party of the First Part

MEMORANDA

Exact and full name of owner, as same appears of record

Dorothea M. Mack Trust

If married, full name of spouse

If mortgage, or other liens, show names of holders and amounts

If an estate, give the names of all the heirs with the share of each.

Show names of spouses of such if are married.

Name of administrator or executor

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JAN 11 1988**

If any of the owners or heirs are minors give their names and age

Name of guardian

Remarks: