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AUD'S _____
REF. \$ _____

FILED NO. **5313**
BOOK 141 PAGE 644
99 JUN 25 PM 3:45
MICHELLE UTALER
RECORDER
MADISON COUNTY, IOWA

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

CONTRACT

THIS AGREEMENT made and entered into this 22nd of December, 19 98 A.D.
By and between RUSSELL T. JR. AND TERESA LYNN HENRY

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>8</u>	Township <u>75N</u>	Range <u>27W</u>	Commencing at
Station <u>98 + 00.00</u>	to Station <u>100 + 00.00</u>	a strip <u>33.00</u> ^{ft.} <u>40.00 - 55.00</u>	feet wide <u>Left</u> side, from
Station <u>100 + 00.00</u>	to Station <u>101 + 00.00</u>	a strip <u>55.00 - 33.00</u>	feet wide <u>Left</u> side, from
Station <u>101 + 00.00</u>	to Station <u>102 + 50.00</u>	a strip <u>33.00</u>	feet wide <u>Left</u> side, from
Station <u>102 + 50.00</u>	to Station <u>103 + 00.00</u>	a strip <u>33.00 - 40.00</u>	feet wide <u>Left</u> side, from
Station <u>103 + 00.00</u>	to Station <u>103 + 50.00</u>	a strip <u>40.00 - 135.00</u>	feet wide <u>Left</u> side, from
Station <u>103 + 50.00</u>	to Station <u>105 + 50.38</u>	a strip <u>135.00</u>	feet wide <u>Left</u> side, from

Measured from centerline of proposed highway as shown on plans for Project No. SBRC-61(44)--8D-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 1st day of Jan, 19 99.

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>0.892</u> acres at \$ <u>1,129.65</u> per acre	\$ <u>1,007.65</u>
Approximately <u>24.00</u> rods of new fence at \$ <u>15.00</u> per rod	\$ <u>360.00</u>
Approximately _____ rods of new fence at \$ _____ per rod	\$ _____
General Damage _____	\$ <u>200.00</u>

TOTAL \$ 1,567.65

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 1-1-2001.

IN WITNESS WHEREOF, Party of the First Part, do hereby set their hands to this instrument on this 22nd day of December, 19 98, at Winterset, Iowa.

Russell T. Henry Jr.
Name: RUSSELL T. HENRY, JR.

Social Security No. [REDACTED]

TERESA LYNN HENRY
Name: TERESA LYNN HENRY

Social Security No. [REDACTED]

Party of the First Part

STATE OF IOWA)
) ss
COUNTY OF MADISON)

On this 22nd day of December, 1998, before me, James Leeper
a Notary Public in and for said County and State personally appeared, RUSSELL T JR and TERESA LYNN HENRY, to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Name: James J. Leeper
Notary Public in and for the State of Iowa

IN WITNESS WHEREOF, the Party of the Second Part, do hereby set its hand to this instrument on this 25th day of January, 1999, at Winterset, Iowa.

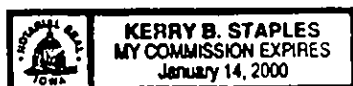
MADISON COUNTY
BOARD OF SUPERVISORS

BY: [Signature]
CY McDONALD, Chairman

BY: [Signature]
JOAN WELCH, Madison County Auditor
Party of the Second Part

STATE OF IOWA)
) ss
COUNTY OF MADISON)

On this 25th day of January, 1999, before me, Kerry B. Staples,
a Notary Public in and for the State of Iowa, personally appeared CY McDONALD and JOAN WELCH,
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 25th day of January, 1999, and CY McDONALD and JOAN WELCH, 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.



Name: Kerry B. Staples
Notary Public in and for the State of Iowa

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

MEMORANDA

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

Russell T. Henry Jr. and Teresa

Lynn Henry

If married, full name of spouse

N.A.

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

Telco Credit Union

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

N.A.

Show names of spouses of such if are married.

N.A.

Name of administrator or executor

N.A.

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

N.A.

Name of guardian

N.A.

Remarks:

