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BOOK 134 PAGE 169

95 MAR 21 PM 12:31

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA
SPACE ABOVE FOR RECORDER

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of Two Thousand Four Hundred Twenty and no/100—(\$2,420.00)—DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, Howard L. Benshoof and Florence L. Benshoof, husband and wife, of Clinton County, State of Iowa, do hereby grant to the STATE OF IOWA a permanent easement for road purposes and for use as a Public Highway in, to, on, over and across real estate in Madison County, Iowa:

THE EASEMENT GRANTED FOR HIGHWAY PURPOSES IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in the SE 1/4 SE 1/4 of Sec. 27 and the NE 1/4 NE 1/4 of Sec. 34, all in T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof, and more particularly described as follows:

Beginning at the SE Corner of said Sec. 27; thence S83°04'52"W, 208.43 ft. along the south line of the SE 1/4 of said Sec. 27 to a point on the centerline of Primary Road No. IA 92; thence S89°37'18"W, 1094.89 ft. along said centerline to a point on the west line of the SE 1/4 SE 1/4 of said Sec. 27; thence S1°35'17"E, 70.02 ft. along said west line; thence N86°37'35"E, 191.38 ft.; thence S89°36'20"E, 1111.07 ft. to a point on the east line of the NE 1/4 NE 1/4 of said Sec. 34; thence N1°18'29"W, 98.74 ft. along said east line to the SE Corner of said Sec. 27, the Point of Beginning, excepting therefrom present easements of records; containing 1.10 acres, exclusive of said exceptions.

This easement is given in fulfillment of a certain contract dated October 10, 1994, and recorded in the Madison County Recorder's Office on October 20, 1994, in Book 133, Page 498.

The additional amount of \$3,580.00, as agreed to by contract, is paid as severance damages to the remaining property.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

This easement is being acquired for public purposes and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the easement.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

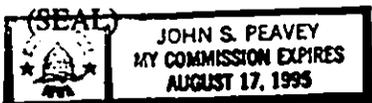
Dated 3-15, 1995. (SIGN IN INK)

Howard L. Benshoof
Howard L. Benshoof

Florence L. Benshoof
Florence L. Benshoof

STATE OF Iowa, COUNTY OF Clinton, ss:

On this 15 day of March, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared Howard L. Benshoof & Florence L. Benshoof Husband & Wife to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



John S. Peavey (Sign in Ink)
(Print/Type Name)
Notary Public in and for the State of Iowa

Madison County Project No. FN-92-4(15)-21-61
Howard L. and Florence L. Benshoof (Parcel 66)

For Disclaimer see
Mace Rec 44-74
Mace 4-22-97

CCD Produced
• District 4 RCI



IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT
EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0600
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 66
 SECTION 27 & 34 TOWNSHIP 78 N RANGE 26 W
 ROW-FEE _____ AC. EASE 1.10 AC. EXCESS - FEE _____ AC
 ACQUIRED FROM Howard L. & Florence L. Benshoof

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Iowa.

Signature: James E. Carey
 Date August 17, 1992 Reg. No. 6130
 My registration expires December 31, 1992

