

COMPARED

FILED NO. 858

BOOK 130 PAGE 447

Fee \$15.00

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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

EASEMENT FOR PUBLIC HIGHWAY

Know All Men By These Presents: That Nelson E. Thornton and Mariann Thornton, husband and wife, of Madison County, State of Iowa, in consideration of the sum of One Thousand Two Hundred Sixty and no/100----(\$1,260.00)-----DOLLARS and other valuable considerations in hand paid by Iowa Department of Transportation, do hereby grant an easement unto the **STATE OF IOWA**, for road purposes and for use as a Public Highway, the following described premises situated in the County of Madison, State of Iowa, to-wit:

A parcel of land located in the NE 1/4 NE 1/4 of Sec. 32 and the NW 1/4 NW 1/4 of Sec. 33, all in T76N, R27W of the 5th P.M., Madison County, Iowa, as shown on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof.

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

Beginning at the NE Corner of said Sec. 32; thence N88°50'44"E, 192.00 ft. along the north line of the NW 1/4 NW 1/4 of said Sec. 33; thence S02°29'16"E, 75.02 ft.; thence S88°50'44"W, 1217.97 ft.; thence N02°06'59"W, 74.95 ft. to a point on the north line of the NE 1/4 NE 1/4 of said Sec. 32; thence N88°50'32"E, 1025.48 ft. along said north line to the NE Corner thereof, the Point of Beginning, excepting therefrom present easements of record; containing 0.70 acre, more or less, exclusive of said exceptions.

This easement is given in fulfillment of a certain real estate contract dated August 3, 1992, and recorded in the Madison County Recorder's Office on August 20, 1992, in Book 130, Page 266.

The additional amount of \$1,640.00, 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).

And the grantors do hereby covenant with said grantees, that said grantors are lawfully seized of said premises; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever; and said grantors covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever, and each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the above described premises.

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

Madison County Project No. FN-92-4(15)--21-61
Nelson E. and Mariann Thornton (Parcel 20)

Signed this 9 day of September, A.D. 19 92. (SIGN IN INK)

Nelson E. Thornton
Nelson E. Thornton

Mariann Thornton
Mariann Thornton

STATE OF Iowa, COUNTY OF Madison, ss:

On this 9th day of September, A.D. 19 92, before me, the undersigned, a Notary Public in and for said state, personally appeared Nelson E. Thornton and Mariann Thornton to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that (he) (she) (they) executed the same as (his) (her) (their) voluntary act and deed.



Beth Flander (Sign in Ink)
Beth Flander (Print/Type Name)
Notary Public in and for the State of Iowa

RECORDING INFORMATION: This easement is being acquired for public purposes by the Iowa Department of Transportation, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010; therefore a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Madison County Project No. FN-92-4(15)--21-61
Nelson E. and Mariann Thornton (Parcel 20)

