

~~CONFIDENTIAL~~FILED NO. 890
BOOK 130 PAGE 478

92 OCT -9 AM 9:30

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Fee \$15.00

EASEMENT PRIORITY AGREEMENT

Know All Men By These Presents: That the undersigned, the present owner(s) of the mortgage hereinafter described, for valuable consideration, receipt of which is hereby acknowledged, do hereby acknowledge that the following described real estate situated in Madison County, Iowa, to-wit:

THE FOLLOWING LANDS, RIGHTS TO LAND AND COVENANTS ARE CONTAINED IN A CERTAIN EASEMENT FOR PUBLIC HIGHWAY TO THE STATE OF IOWA, GIVEN IN FULFILLMENT OF A CERTAIN REAL ESTATE CONTRACT DATED AUGUST 20, 1992, AND RECORDED IN THE MADISON COUNTY RECORDER'S OFFICE ON August 27 1992, IN BOOK 130, PAGE 288.

A parcel of land located in the NE 1/4 NW 1/4 of Sec. 32, 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:

Commencing at the N 1/4 Corner of said Sec. 32; thence S88°46'05"W, 75.63 ft. along the north line of the NW 1/4 of said Sec. 32; thence S1°13'55"E, 50.00 ft. to a point on the present southerly right of way line of Primary Road No. IA. 92, the Point of Beginning; thence S88°46'05"W, 107.81 ft. along said present southerly right of way line; thence S2°06'59"E, 19.87 ft.; thence easterly 127.41 ft. along a 352,158.15 foot radius curve, concave southerly and having a chord bearing N88°47'08"E, 127.41 ft. to a point on the present southerly right of way line of Primary Road No. IA. 92; thence N46°13'55"W, 28.16 ft. along said present southerly right of way line to the Point of Beginning; containing 0.05 acre.

is hereby subordinated to the interests of the State of Iowa, from the lien of the real estate mortgage, executed by Jackie Banks and Mary Ann Banks, dated February 27, 1992, recorded in the Madison County Recorder's Office, State of Iowa, in Book 139, Page 588, specifically reserving and retaining the mortgage lien and all mortgage rights against all of the remaining property embraced in the mortgage above described.

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

Dated this 24th day of September, 1992. (SIGN IN INK)

UNION STATE BANK:

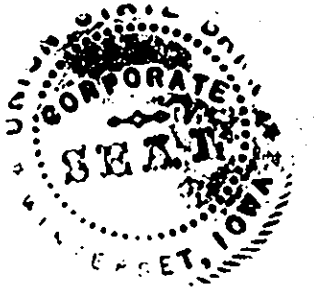
By: *James F. Herrick* James F. Herrick, Pres. Title By: *Steven D. Warrington* Steven D. Warrington, V.P. Title

STATE OF Iowa, COUNTY OF Madison, ss:

On this 24th day of September, A.D. 1992, before me, the undersigned, a Notary Public in and for said state, personally appeared James F. Herrick and Steven D. Warrington to me personally known, who, being by me duly sworn, did say that they are the President and Vice President, respectively, of said corporation; that (no seal has been procured by the said) (the seal affixed thereto is the seal of said) corporation; that said instrument was signed (and sealed) on behalf of said corporation by authority of its Board of Directors; and that the said James F. Herrick and Steven D. Warrington as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

(SEAL)

Duane Gordon (Sign in Ink)
Duane Gordon (Print/Type Name)
Notary Public in and for said State of Iowa



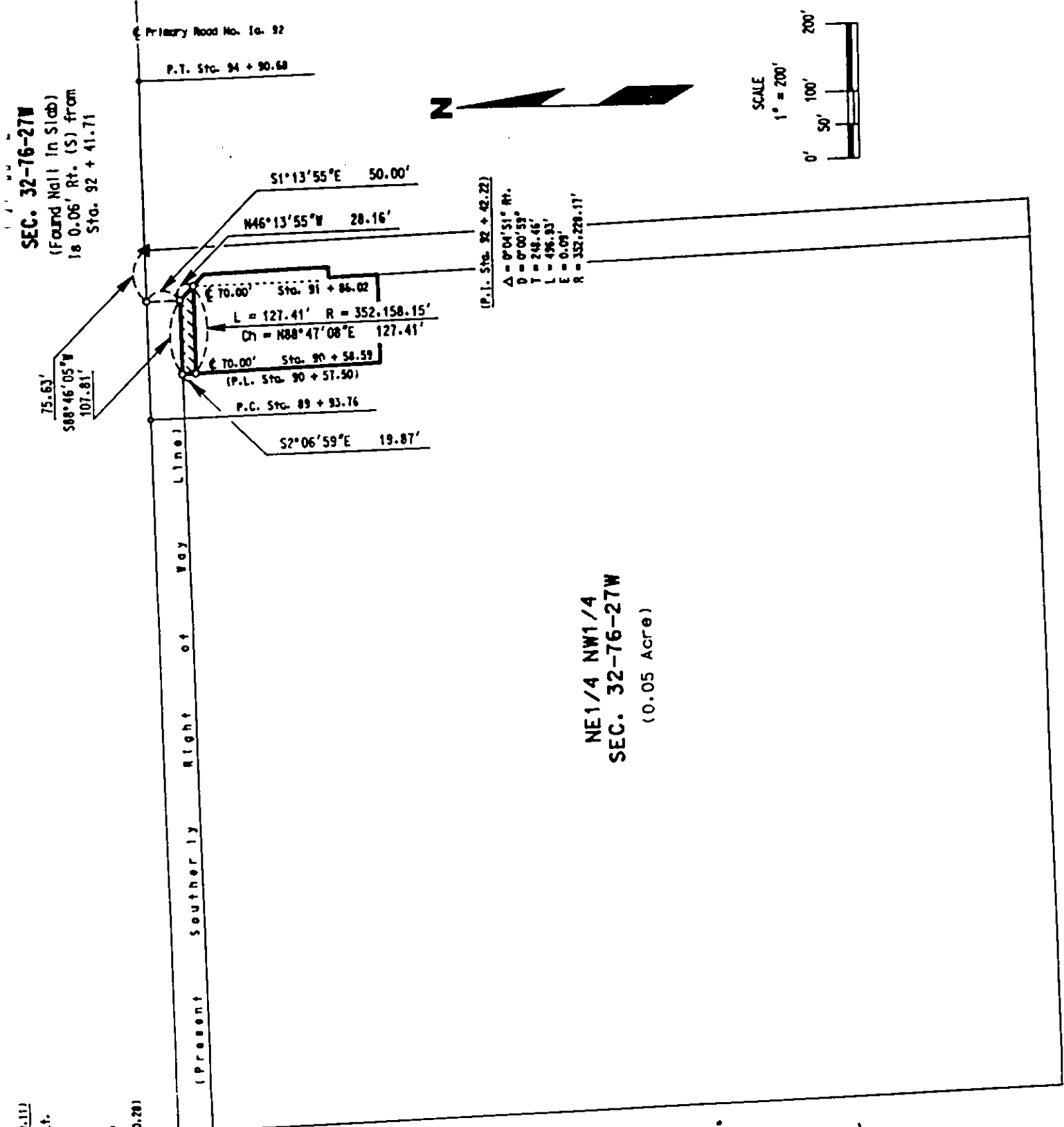
Madison County Project No. FN-92-4(15)--21-61
Jackie and Mary Ann Banks (Parcel 14)



IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT
EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0800
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 14
 SECTION 32 TOWNSHIP 76 N RANGE 27 W
 ROW-FEE _____ AC. EASE 0.05 AC. EXCESS - FEE _____ AC
 ACQUIRED FROM _____

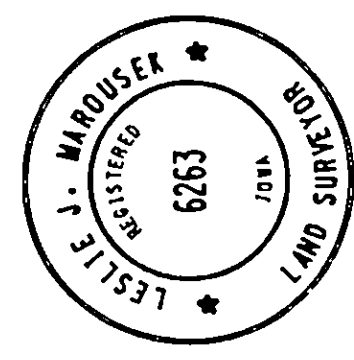


NE 1/4 NW 1/4
 SEC. 32-76-27W
 (0.05 Acre)

(P.L. Sta. 66 + 30.11)
 Δ = 0°29'57" Lt.
 D = 0°04'50"
 T = 309.83'
 L = 619.66'
 E = 0.58'
 R = 71,125.80'
 (P.C. Sta. 63 + 20.28)

P.T. Sta. 69 + 39.94

NW CORNER
 SEC. 32-76-27W
 (Found Nail in S/cb)
 = P.L. Sta. 66 + 30.11



I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered Land Surveyor under the laws of the State of Iowa.
Leslie J. Marouset
 Leslie J. Marouset, Reg. No. 6263 Date 2-19-92