

## 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 DECEMBER 27, 1989, AND RECORDED IN THE MADISON COUNTY RECORDER'S OFFICE ON JANUARY 3, 1990, IN BOOK 121, PAGE 745.

Two parcels of land located in the NE 1/4 NE 1/4 of Sec. 13 and in the SW 1/4 SE 1/4 and SE 1/4 SE 1/4 of Sec. 12, all in T76N, R28W of the 5th P.M., Madison County, Iowa, as shown on Right of Way Plats 1 of 2 and 2 of 2 Exhibit "A" attached hereto and by reference made a part hereof.

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

Plat 1 of 2: Commencing at the NW Corner of the NE 1/4 NE 1/4 of said Sec. 13; thence N89°32'51"E, 146.60 ft. along the north line of the NE 1/4 of said Sec. 13 to the Point of Beginning; thence S52°17'10"E, 353.11 ft.; thence S52°12'16"E, 292.10 ft.; thence S89°57'16"E, 22.00 ft. to a point on the former centerline of Primary Road No. U.S. 169; thence N50°28'16"W, 61.16 ft. along said former centerline; thence northwesterly 482.83 ft. along said former centerline along a 1637.02 foot radius curve, concave northeasterly and having a chord bearing N42°01'18"W, 481.08 ft. to a point on the north line of the NE 1/4 of said Sec. 13; thence S89°32'51"W, 162.94 ft. along said north line to the Point of Beginning, excepting therefrom present easements of record; containing 0.13 acre, more or less, exclusive of said exceptions.

Plat 2 of 2: Beginning at the SW Corner of the SE 1/4 SE 1/4 of said Sec. 12; thence N22°27'04"W, 569.67 ft.; thence N38°12'49"E, 171.88 ft.; thence northerly 659.44 ft. along a 1777.02 foot radius curve, concave easterly and having a chord bearing N1°28'54"E, 655.66 ft. to a point on the north line of the SW 1/4 SE 1/4 of said Sec. 12; thence S89°42'18"E, 98.63 ft. along said north line to a point on the west line of the SE 1/4 SE 1/4 of said Sec. 12; thence S0°11'22"W, 638.95 ft. along said west line to a point on the present westerly right of way line of Primary Road No. U.S. 169; thence southeasterly 97.79 ft. along said present westerly right of way line along a 1687.02 foot radius curve, concave easterly and having a chord bearing S9°30'08"E, 97.77 ft.; thence S78°50'14"W, 3.00 ft. along said present westerly right of way line; thence southeasterly 206.48 ft. along said present westerly right of way line along a 1690.02 foot radius curve, concave easterly and having a chord bearing S14°39'46"E, 206.35 ft.; thence N71°50'14"E, 3.00 ft. along said present westerly right of way line; thence southeasterly 309.16 ft. along said present westerly right of way line along a 1687.02 foot radius curve, concave easterly and having a chord bearing S23°24'46"E, 308.73 ft.; thence S61°20'14"W, 18.00 ft. along said present westerly right of way line; thence southeasterly 102.10 ft. along said present westerly right of way

Madison County Project No. FN-169-3(29)--21-61  
Patrick F. Corkrean (Parcel 22A)

FILED NO. 1650

BOOK 127 PAGE 8

90 FEB 14 AM 10: 27

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA  
Fee \$20.00

line along a 1705.02 foot radius curve, concave easterly and having a chord bearing S30°22'41"E, 102.08 ft. to a point on the south line of the SE 1/4 SE 1/4 of said Sec. 12; thence S89°32'51"W, 229.03 ft. along said south line to the SW Corner of the SE 1/4 SE 1/4 of said Sec. 12, the Point of Beginning, excepting therefrom present easements of record; containing 5.07 acres, more or less, exclusive of said exceptions.

is hereby subordinated to the interests of the State of Iowa, from the lien of the real estate mortgage, executed by Patrick F. Corkrean and Nancy M. Corkrean, dated May 16, 1988, recorded in the Madison County Recorder's Office, State of Iowa, in Book 150, Page 326, 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 22nd day of January, 1990. (SIGN IN INK)

UNION STATE BANK:

By: James F. Herrick  
James F. Herrick, President Title

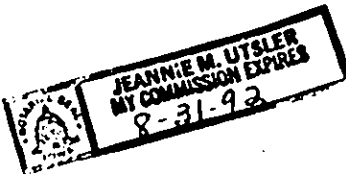
By: Steven D. Warrington  
Steven D. Warrington, A.V.P. Title

STATE OF Iowa, COUNTY OF Madison, ss:

On this 22nd day of January, A.D. 1990, 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 Assistant 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)

Jeannie M. Utsler (Sign in Ink)  
JEANNIE M. UTSLER (Print/Type Name)  
Notary Public in and for said State of Iowa



Madison County Project No. FN-169-3(29)--21-61  
Patrick F. Corkrean (Parcel 22A)

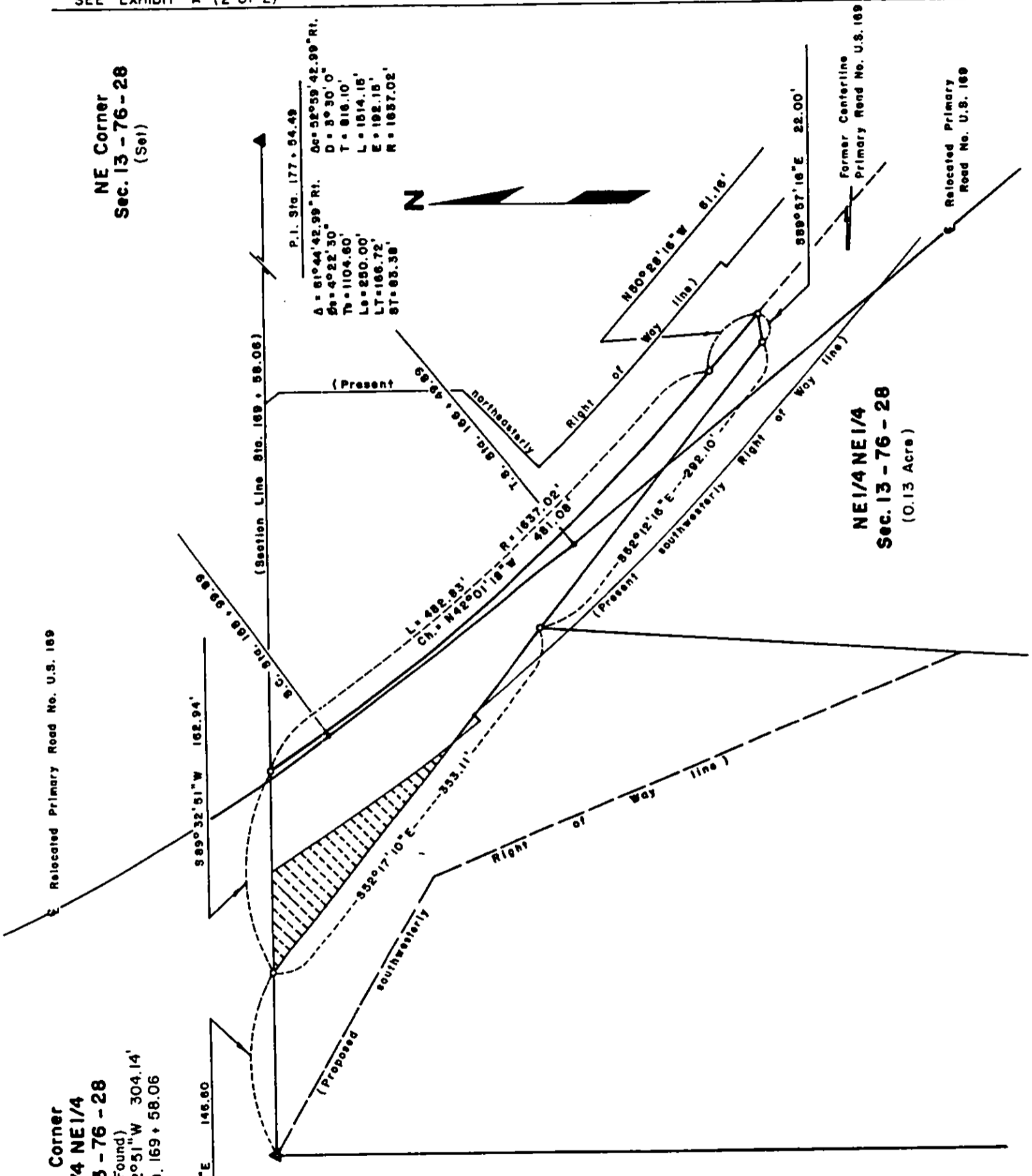
IOWA DEPARTMENT OF TRANSPORTATION



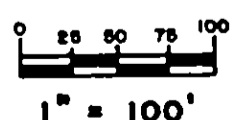
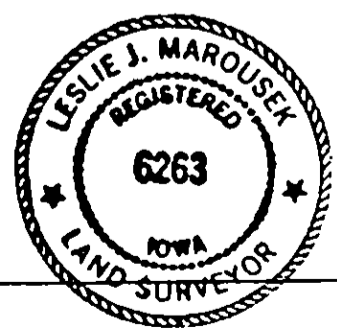
RIGHT OF WAY PLAT ( 1 OF 2 )  
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 61-1100  
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 22A  
 SECTION 13 TOWNSHIP 76 N RANGE 28 W  
 ROW - FEE \_\_\_\_\_ AC, EASE \* 0.13 AC, EXCESS - FEE \_\_\_\_\_ AC  
 ACQUIRED FROM PATRICK F. CORKREAN

\* SEE EXHIBIT "A" (2 OF 2)



NW Corner  
NE 1/4 NE 1/4  
Sec. 13 - 76 - 28  
(Found)  
is  $S89^{\circ}32'51''W$   $304.14'$   
from Sta. 169 + 58.06



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. Marousek* 2-16-55  
Leslie J. Marousek, Reg. No. 6263 Date

DATE DRAWN \_\_\_\_\_

SCALE \_\_\_\_\_

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT ( 2 OF 2 )  
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 61-1100  
 PROJECT NO. FN-169-3 (29) -- 21-61 PARCEL NO. 22A  
 SECTION 12 TOWNSHIP 76 N RANGE 28 W  
 ROW - FEE AC, EASE \*5.07 AC, EXCESS - FEE AC  
 ACQUIRED FROM PATRICK F. CORKREAN

\* SEE EXHIBIT "A" (1 OF 2)

Relocated Primary Road No. U.S. 169

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.

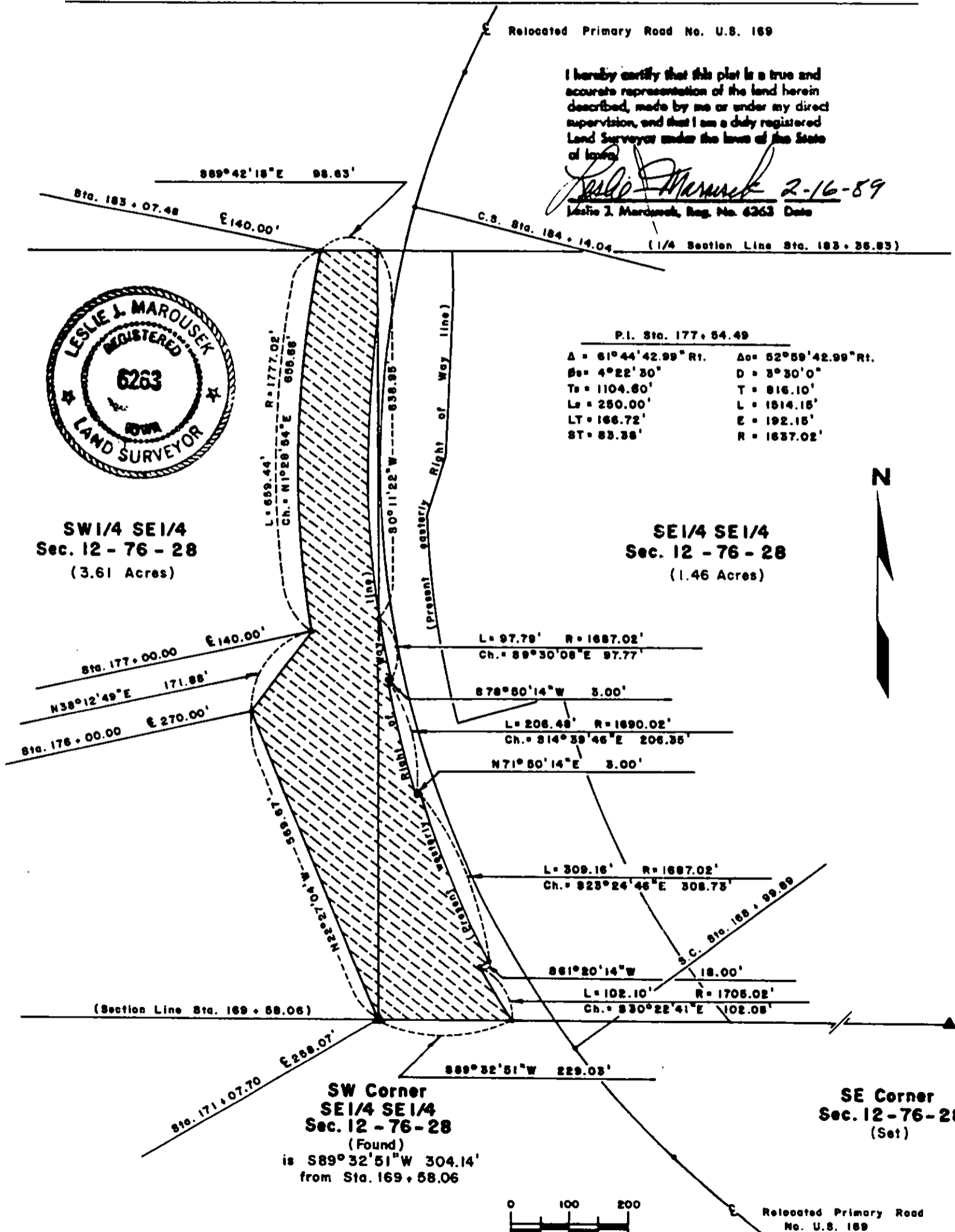
*Leslie J. Marousek* 2-16-59  
 Leslie J. Marousek, Reg. No. 6263 Date



SW 1/4 SE 1/4  
 Sec. 12 - 76 - 28  
 (3.61 Acres)

SE 1/4 SE 1/4  
 Sec. 12 - 76 - 28  
 (1.46 Acres)

P.I. Sta. 177 + 54.49	
A = 61°44'42.99" Rt.	Δ = 52°59'42.99" Rt.
B = 4°22'30"	D = 3°30'0"
T = 1104.60'	T = 816.10'
L = 250.00'	L = 1514.15'
LT = 166.72'	E = 192.15'
ST = 83.38'	R = 1637.02'



SW Corner  
 SE 1/4 SE 1/4  
 Sec. 12 - 76 - 28  
 (Found)  
 is 889°32'51"W 304.14'  
 from Sta. 169 + 58.06

SE Corner  
 Sec. 12 - 76 - 28  
 (Set)

Relocated Primary Road  
 No. U.S. 169

DATE DRAWN \_\_\_\_\_

SCALE

1" = 200'