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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

**RELINQUISHMENT AGREEMENT**  
Recorder's Cover Sheet

**Preparer Information:** (name, address and phone number)

John E. Casper, 223 E. Court Avenue, PO Box 67, Winterset, Iowa 50273 515-462-4912

**Taxpayer Information:** (name and complete address)

Mary Ann McFarland  
14323 Oakbrook Drive  
Urbandale, Iowa 50323

✓ **Return Document To:** (name and complete address)

John E. Casper  
P.O. Box 67  
Winterset, Iowa 50273-0067

**Grantors:**

Lois E. Stuart

**Grantees:**

Mary Ann McFarland, formerly known as  
Mary Ann Green

**Legal Description:** See Page -2-

**Document or instrument number of previously recorded documents:**

## RELINQUISHMENT AGREEMENT

Whereas, the Last Will and Testament of Clarence E. Johnson provided in Item IX thereof that Ronald L. Stuart and Lois E. Stuart, or the survivor of them, shall have the right to occupy the family residence and yard area located on the farm real estate maintenance and upkeep free for so long as they, or either of them, may desire;

Whereas, this family residence is located upon and is part of the real estate legally described as follows:

The Northeast Quarter (¼) of Section Thirty-five (35) Except a parcel of land described as commencing at the North Quarter Corner of Section Thirty-five (35), thence N. 90°00'00" E. 91.66 feet along the North line of the Northeast Quarter (¼) of said Section Thirty-five (35) to the Point of Beginning, thence continuing N. 90°00'00" E 1455.09 feet to the point on the northerly right-of-way line of U.S. Highway 169 and Iowa Highway 92; thence along said Highway right-of-way S 62°33'48" W 524.71 feet; thence N 83°44'36" W 280.32 feet; thence S 4°04'30" W 8.95 feet to the centerline of county road; thence along said county road centerline Northwesterly 612.81 feet along a 818.50 feet radius curve concave Southerly, with a 598.59 feet long chord bearing N 68°26'30" W; thence N 89°55'31" W 153.39 feet to the Point of Beginning, containing 3.6298 acres including 1.4839 acres of County Road Right-of-Way easement; AND the North Half (½) of the North Half (½) of the Southeast Quarter (¼) of Section Thirty-five (35), all in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa.

AND

The East Half (½) of the Southeast Quarter (¼) of Section Twenty-six (26), in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa, except that portion conveyed to the Chicago, Rock Island and Pacific Railroad Company, for railroad right-of-way, and Except Beginning at the Southeast corner of Section Twenty-six (26), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M.; thence West 1313.15 feet to the Southwest corner of the Southeast Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and the Point of Beginning; thence North 0°02' West 404.45 feet; thence East 598.10 feet; thence South 0°25' West 404.45 feet to a point 594.92 feet East of the Point of Beginning; thence West to the Point of Beginning, and containing 5.54 acres more or less, including the present highway, and Except a parcel of land located in the Southeast Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southeast corner of said Section Twenty-six (26); thence S 90°00' W. 718.2 feet along the South line of said Southeast Quarter (¼) of the Southeast Quarter (¼); thence N 0°25' E, 102.7 feet; thence N 72°47½' E, 260.8 feet; thence N 61°53' E 347.9 feet to a point on the present westerly right of way line of the C.R. I. & P. Railroad; thence S 30°52' E, 314.8 feet along said present westerly right of way line to a point on the East line of said Southeast Quarter (¼) of the Southeast Quarter (¼); thence S 0°00' E, 73.6 feet along said East line to the Point of Beginning, containing 3.4 acres, more or less, of which 0.7 acres, more or less, is within existing road easement.

Whereas, Ronald L. Stuart died on February 14, 1998;

Whereas, Lois E. Stuart has now moved from the family residence on this farm real estate to an assisted living facility; and,

Whereas, Lois E. Stuart desires to relinquish the right to occupy this family residence as provided under the Last Will and Testament of Clarence E. Johnson.

IT IS THEREFORE AGREED as follows:

1. Lois E. Stuart does hereby relinquish the occupancy of the family residence on the real estate of Mary Ann McFarland, formerly known as Mary Ann Green, which occupancy was pursuant to Item IX of the Last Will and Testament of Clarence E. Johnson.
2. Mary Ann McFarland does hereby accept this relinquishment of occupancy.

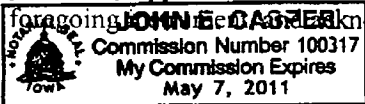
The undersigned parties do make and enter into this Agreement on the 16<sup>th</sup> day of June, 2009 at Winterset, Iowa.

Lois E. Stuart  
 Lois E. Stuart

Mary Ann McFarland  
 Mary Ann McFarland, formerly  
 known as Mary Ann Green

STATE OF IOWA, MADISON COUNTY, ss;

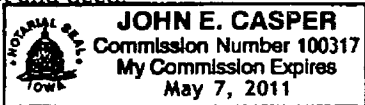
On this 16<sup>th</sup> day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Lois E. Stuart to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged to me that she executed the same as their voluntary act and deed.



John E. Casper  
 Notary Public in and for the State of Iowa

STATE OF IOWA, MADISON COUNTY, ss;

On this 16<sup>th</sup> day of June, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Ann McFarland to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged to me that she executed the same as their voluntary act and deed.



John E. Casper  
 Notary Public in and for the State of Iowa