

This document is being rerecorded to correctly identify the county in which the referenced contract was recorded in as "Madison" rather than "Dallas" in line 3 of Paragraph 2.

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 JANUARY 27, 1988, AND RECORDED IN THE ~~DALLAS~~ COUNTY RECORDER'S OFFICE ON FEBRUARY 2, 1988, IN BOOK 121, PAGE 116. MADISON

A parcel of land located in the NE 1/4 SE 1/4 of Sec. 1, T77N, R28W of the 5th P.M., Madison County, Iowa, as shown on Right of Way 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 E 1/4 Corner of said Sec. 1; thence S0°00'E, 1177.0 ft. along the east line of said NE 1/4 SE 1/4 to the Point of Beginning; thence continuing S0°00'E, 161.7 ft. along said east line; thence N89°09' 1/2"W, 124.5 ft.; thence N0°04'E, 59.9 ft.; thence N31°01' 1/2"E, 116.6 ft. to a point on the present westerly right of way line of Primary Road No. U.S. 169; thence N90°00'E, 64.3 ft. to the Point of Beginning, excepting therefrom present easements of record; containing 0.14 acre, 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 Robert M. and Carolyn Plunk, dated October 30, 1973, recorded in the Madison County Recorder's Office, State of Iowa, in Book 120, Page 512, 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 14th day of March, 1988. FILED NO. 1670 ✓ BOOK 121 PAGE 182

Compared

1988 MAR 21 PM 3:55

BRENTON BANK & TRUST COMPANY: (formerly Dallas County State Bank)

MARY E. WELTY RECORDER MADISON COUNTY, IOWA Fee \$10.00

By: David A. Koch Vice-President By: K.E. Hykes Sr. Vice-President RE-RECORDED Title Title

STATE OF IOWA, MADISON COUNTY, ss. Inst. No. 1918 Filed for Record this 21 day of April 19 88 at 10:30 AM Book 121 Page 206 Recording Fee 10.00

STATE OF IOWA, Dallas COUNTY, ss:

On this 14th day of March, A.D. 19 88, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared David A. Koch and K.E. Hykes to me personally known, who, being by me duly sworn, did say that they are the Vice-President and Sr. Vice-President respectively, of said Brenton Bank and Trust Company a corporation duly organized under the laws of the State of Iowa and that said instrument was signed (and sealed) on behalf of said corporation by authority of its Board of Directors; and the said David A. Koch and K.E. Hykes acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

(SEAL)



Carolyn J. Scott Notary Public in and for the State of Iowa

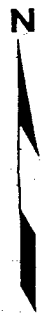


IOWA DEPARTMENT OF TRANSPORTATION



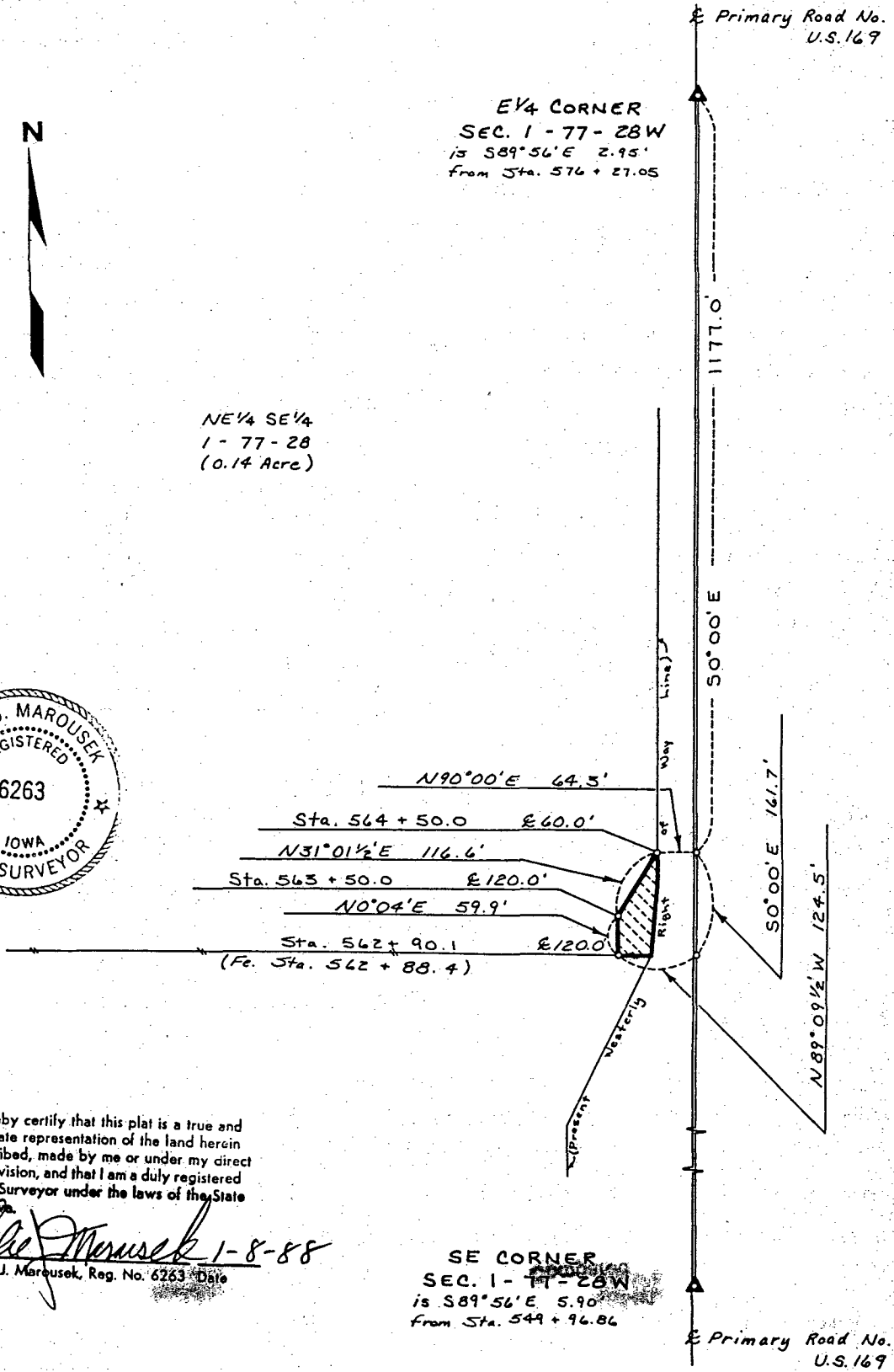
RIGHT OF WAY PLAT EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 61-1100
 PROJECT NO. FN-169-3(28)--21-61 PARCEL NO. 4
 SECTION 1 TOWNSHIP 77N RANGE 28W
 ROW-FEE AC, EASE 0.14 AC, EXCESS-FEE AC
 ACQUIRED FROM Robert M. Plunk et ux



E 1/4 CORNER
 SEC. 1 - 77 - 28W
 is S89°56'E 2.95'
 from Sta. 576 + 27.05

NE 1/4 SE 1/4
 1 - 77 - 28
 (0.14 Acre)



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 1-8-88
 Leslie J. Marousek, Reg. No. 6263 Date

SE CORNER
 SEC. 1 - 77 - 28W
 is S89°56'E 5.90'
 from Sta. 549 + 96.86