

## **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 3, 1992, AND RECORDED IN THE MADISON COUNTY RECORDER'S OFFICE ON AUGUST 20, 1992, IN BOOK 130, PAGE 273.**

A parcel of land located in the SE 1/4 SE 1/4 and SW 1/4 SE 1/4 of Sec. 30, 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 SE Corner of said Sec. 30; thence S89°15'50"W, 1420.11 ft. along the south line of said SE 1/4 SE 1/4 and SW 1/4 SE 1/4; thence N00°44'10"W, 67.89 ft. to a point on the present northerly right of way line of Primary Road No. IA. 92; thence N70°37'17"E, 116.09 ft.; thence N00°44'10"W, 65.00 ft.; thence N89°15'50"E, 130.00 ft.; thence S68°56'05"E, 269.26 ft.; thence N89°15'50"E, 200.00 ft.; thence N84°58'29"E, 200.56 ft.; thence N89°15'50"E, 220.28 ft.; thence easterly 308.48 ft. along a 71,040.80 foot radius curve, concave northerly, and having a chord bearing of N89°08'22"E, 308.48 ft. to a point on the east line of said SE 1/4 SE 1/4; thence S01°38'19"E, 85.68 ft. along said east line to the SE Corner thereof, the Point of Beginning, excepting therefrom present easements of record; containing 1.29 acres, more or less.

is hereby subordinated to the interests of the State of Iowa, from the lien of the real estate mortgage, executed by Pearson Y-2 Cattle Company, dated April 6, 1992, recorded in the Madison County Recorder's Office, State of Iowa, in Book 161, Page 682, 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.

COMPARED

**808**

FILED NO. \_\_\_\_\_

BOOK 163 PAGE 631

92 SEP 30 AM 9: 03

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

Fee \$15.00

Madison County Project No. FN-92-4(15)--21-61  
Pearson Y-2 Cattle Co. (Parcel 12)

Dated this 14 day of September, 19 92. (SIGN IN INK)

EARLHAM SAVINGS BANK:

By: [Signature]  
Vernon L. Geiger, Executive Title  
Vice President

By: [Signature]  
Timothy J. Heldt, Title  
Vice President

STATE OF Iowa, COUNTY OF Madison, ss:

On this 14 day of September, A.D. 1992, before me, the undersigned, a Notary Public in and for said state, personally appeared Vernon L. Geiger and Timothy J. Heldt to me

personally known, who, being by me duly sworn, did say that they are the Executive President and Vice President, respectively, of said corporation; ~~(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 the authority of its Board of Directors; and that the said Vernon L. Geiger and Timothy J. Heldt 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)



[Signature] (Sign in Ink)  
Christine Mapes (Print/Type Name)  
Notary Public in and for said State of Iowa



# IOWA DEPARTMENT OF TRANSPORTATION

## ACQUISITION PLAT EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0600  
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 12  
 SECTION 30 TOWNSHIP 76N RANGE 27W  
 ROW-FEE AC, EASE 1.29 AC, EXCESS - FEE AC  
 ACQUIRED FROM \_\_\_\_\_

PRIMARY ROAD NO. IA. 92

**SE CORNER**  
**SEC. 30-76-27W**  
 (FD. MAIL IN SLAB)  
 = P.I. STA. 66+30.11



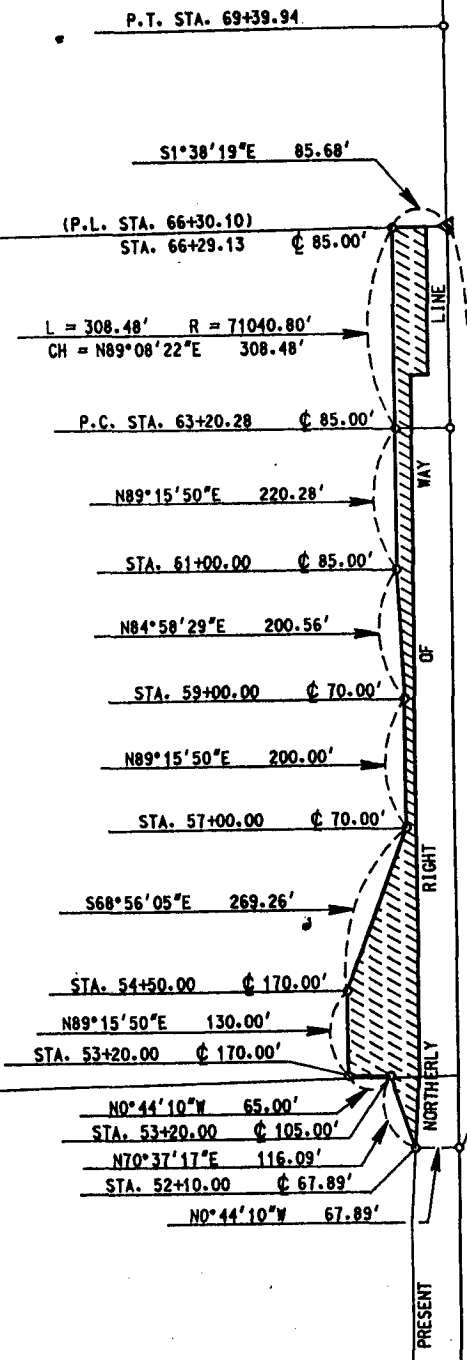
P.I. STA. 66+30.11  
 $\Delta = 0^{\circ}29'57''$  LT.  
 $D = 0^{\circ}04'50''$   
 $T = 309.83'$   
 $L = 619.66'$   
 $E = 0.68'$   
 $R = 71125.80'$

$L = 308.48'$   $R = 71040.80'$   
 $CH = N89^{\circ}08'22''E$  308.48'

SE1/4SE1/4  
 30-76-27W  
 (1.24 ACRES)

SW1/4SE1/4  
 30-76-27W  
 (0.05 ACRE)

P.I. STA. 43+00.85  
 $\Delta = 0^{\circ}44'10''$  LT.  
 $D = 0^{\circ}04'22''$   
 $T = 505.58'$   
 $L = 1011.14'$   
 $E = 1.82'$   
 $R = 78703.00'$



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.

*James E. Carey*  
 James E. Carey Reg. No. 6130 Date 3-20-92



**S1/4 CORNER**  
**SEC. 30-76-27W**  
 (FD. MAIL IN SLAB)  
 IS 2.47' RIGHT OF  
 STA. 40+08.10

NORTH TENTH STREET