



Document 2013 3019

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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

✓ **PREPARED BY AND RETURN TO:** Farmers & Merchants State Bank, 101 W. Jefferson, Winterset, IA 50273, (515) 462-4381/  
**Shane K. Pashek**

**PARTIAL RELEASE OF REAL ESTATE MORTGAGE**

The undersigned, the present owner (s) of the mortgage hereinafter described, for valuable consideration, do hereby acknowledge that the following described real estate situated in Madison County, Iowa, to wit:

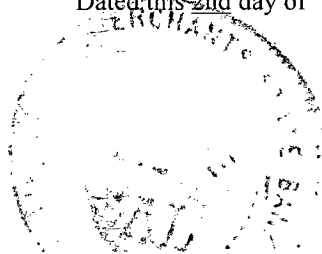
Please see the attached Exhibit "A" for Legal Description.

Is hereby released from the lien of the real estate mortgage executed by Harley J. Johnson, II to Farmers & Merchants State Bank, dated 12-21-05, recorded in the record of the County of Madison State of Iowa, Book 2005, Page 6077 specifically reserving and retaining the mortgage lien and all mortgage rights against all of the remaining property embraced in or subject to the mortgage above described.

Dated: this 2nd day of October, 2013

Farmers & Merchants State Bank

BY: Shane K. Pashek, President  
Farmers & Merchants State Bank



**CORPORATE**

State of IOWA

Madison

COUNTY < ss:

On this 2nd day of October, 2013 before me, the undersigned, A Notary Public in and for said County and State, personally appeared Shane K. Pashek to me personally known, who being by me duly sworn, did say that they are the President, respectively, of said corporation; that ( 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 Shane K. Pashek as such officers, acknowledged the execution of said Instrument to be the voluntary act and deed of said corporation, by It and by them voluntary executed.



In and for Said State

Notary Public

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Parcel "A" located in the Southeast Quarter ( $\frac{1}{4}$ ) of the Southwest Quarter ( $\frac{1}{4}$ ) and in the Southwest Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) of Section Thirty-four (34), Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 10.10 acres, as shown in Amended Plat of Survey filed in Book 2013, Page 2218 on July 29, 2013, in the Office of the Recorder of Madison County, Iowa.

RETAINED EASEMENT. The Sellers hereby retain an easement over the real property covered by the Real Estate Contract for a waterline from the well north of the pond to the Seller's feedlot which is north of the north property line of the Buyers. This easement covers the right of the Sellers to repair and reconstruct the waterline, the well and the pump, and to do such relocation as is necessary or desirable to deal with any obstacles encountered in the course of such work such as large rocks in the path of the waterline. The Sellers should use their best reasonable efforts to not do any serious damage to the Buyer's property in the course of exercising the Seller's rights under this easement, but shall not be liable for reasonably minor damage to the real property and improvements at or around the well and waterline, other than reasonably restoring the area to the condition that it was in prior to the work being done. This easement shall be binding on the parties and on their successors and assigns, and shall run with the land being sold and the land being retained by the Sellers.