A G R E E M E N T

THIS AGREEMENT made and entered into by and among MADISON COUNTY, IOWA, hereinafter called the "COUNTY", ANGELO P. MASCARO and PATRICIA A. MASCARO, husband and wife, hereinafter called "MASCAROS", and GENE SMITH and LOIS SMITH, husband and wife, hereinafter called "SMITHS".

WHEREAS, Madison County did, on June 22, 1982, vacate a highway under its jurisdiction, which highway ran along the North side of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Ten (10), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, which real estate is owned by Mascaros, and along the South side of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Three (3), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, which real estate is owned by Smiths; and

WHEREAS, Mascaros and Smiths have made various objections and claims for damages concerning the vacation of said road.

NOW THEREFORE, IT IS AGREED as follows:

1. Madison County agrees to clear said highway and install a dry weather crossing at the old bridge site in a good and competent workmanlike manner. Madison County also agrees to install and replace any culverts that have been washed out.

2. Mascaros and Smiths agree that upon completion of said work that all of their objections and claims for damages in regard to the vacation of said road shall be deemed withdrawn.

3. After completion of said work by the County, the County shall have no further obligation to repair or maintain said road or said dry weather crossing to be constructed by the County or the old bridge now located on said road.

4. As between Smiths and Mascaros, they agree that both Mascaros and Smiths shall have an easement over and across said vacated roadway for purpose of ingress and egress to and from land owned by both Smiths and Mascaros.

5. Madison County also agrees to make any necessary repairs and to replace any culverts that have been washed out in the existing East-West county

Compared

FILED NO. 1715
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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
No fee

road which runs along the North side of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Ten (10), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and the South side of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Three (3), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

Dated this 24 day of May, 1982.

MADISON COUNTY, IOWA

By Phillip G. Corkrean
Phillip G. Corkrean, Chairman of the Board of Supervisors

Angelo P. Mascaro
Angelo P. Mascaro

Patricia A. Mascaro
Patricia A. Mascaro

Gene Smith
Gene Smith

Lois R. Smith
Lois Smith

STATE OF IOWA :
: ss
COUNTY OF MADISON :

On this 24 day of May, 1982, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Phillip G. Corkrean, Chairman of the Board of Supervisors of Madison County, Iowa, which executed the above and foregoing instrument and by me duly sworn, for himself, did say that he is the Chairman of the Board of Supervisors of Madison County, Iowa, and that said instrument was by him signed on behalf of Madison County, Iowa, and he acknowledged the execution of said instrument to be the voluntary act and deed of said Madison County, Iowa, by it and by him voluntarily executed.

Tim Waddingham
Notary Public in and for the State of Iowa

TIM WADDINGHAM Iowa NOTARIAL SEAL

STATE OF IOWA :
: ss
COUNTY OF MADISON :

On this 11 day of May, 1982, before me, the undersigned, a Notary Public in and for said County and said State personally appeared Angelo P. Mascaro and Patricia A. Mascaro to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Carol Knapp
Notary Public in and for the State of Iowa

STATE OF IOWA :
: ss
COUNTY OF MADISON :

On this 7 day of May, 1982, before me, the undersigned, a Notary Public in and for said County and said State personally appeared Gene Smith and Lois Smith to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

ROBERTA T. PLATT
MY COMMISSION EXPIRES
September 30, 1982

Roberta T. Platt
Notary Public in and for the State of Iowa