Madison
FN-169-3(8)--21-61
Parcel No. 8

PARTIAL RELEASE OF REAL ESTATE MORTGAGE AND 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 WARRANTY DEED TO THE STATE OF IOWA IN ACCORD WITH A CERTAIN REAL ESTATE CONTRACT DATED JANUARY 23, 1974, AND RECORDED IN THE OFFICE OF THE MADISON COUNTY RECORDER ON FEBRUARY 1, 1974, AND OCCURRING IN BOOK 110, PAGE 311, OR ON FILE WITH THE IOWA STATE HIGHWAY COMMISSION IN AMES, IOWA.

Two parcels of land located in the SE 1/4 SW 1/4 of Section 26, T74N, 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 FEE SIMPLE TITLE GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

Commencing at the SW Corner of the SE 1/4 SW 1/4 of said Section 26; thence N0° 00'E, 233.0 ft. along the west line of said SE 1/4 SW 1/4 to the Point of Beginning; thence continuing N0°00'E, 1077.3 ft. along said west line; thence N89° 59'E, 101.2 ft. along the north line of said SE 1/4 SW 1/4; thence S0°51 1/2'W, 1077.3 ft.; thence S89°54 1/2'W, 85.0 ft. to a point on the west line of said SE 1/4 SW 1/4, the Point of Beginning; containing 2.3 acres, more or less, of which 1.1 acres, more or less, is contained within present highway easement.

THE EASEMENT RIGHT, FOR HIGHWAY PURPOSES, GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

Commencing at the SW Corner of the SE 1/4 SW 1/4 of said Section 26; thence N89° 54 1/2'E, 660.8 ft. along the south line of said SE 1/4 SW 1/4; thence N0°11 1/2'E, 33.0 ft. to the Point of Beginning; thence N73°18 1/2'W, 375.0 ft.; thence S0° 11 1/2'W, 108.2 ft.; thence N89°54 1/2'E, 359.6 ft. to the Point of Beginning; containing 0.4 acre, more or less.

is hereby released and all easements herein described are subordinated to the State of Iowa from the lien of the real estate mortgage executed by Gerdon H. Kirk and Ruby I. Kirk, dated, October 27, 1969, recorded in the records of the Office of the Recorder of the County of Madison, State of Iowa, in Book 114 of Mortgages, page 605, and was assigned to Cathryn J. Louis, dated May 2, 1970, recorded in the records of the Office of the Recorder of the County of Madison, State of Iowa, in Book 113, page 257, 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 22 day of May, 1974.

Cathryn J. Louis

Cathryn J. Louis

COMPARED

FILED NO. 939
BOOK 122 PAGE 391

1974 JUN 11 AM 11:27

IND. ✓
REC. ✓
PAGE ✓

RECORDER
MADISON COUNTY, IOWA

Fee 6 50

MTG. REC. 121

New Mexico
STATE OF ~~IOWA~~, Bernalillo COUNTY, ss.

On this 22 day of May, A.D. 1974, before me, the undersigned, a Notary Public in and for the State of ~~Iowa~~ New Mexico, personally appeared Cathryn J. Louis to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(SEAL)

My commission expires 4-23-74

William G. Cordell
William G. Cordell
Notary Public in and for the State of ~~Iowa~~ New Mexico.

Form 137
1-1-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON — STATE CONTROL NO. 10-00

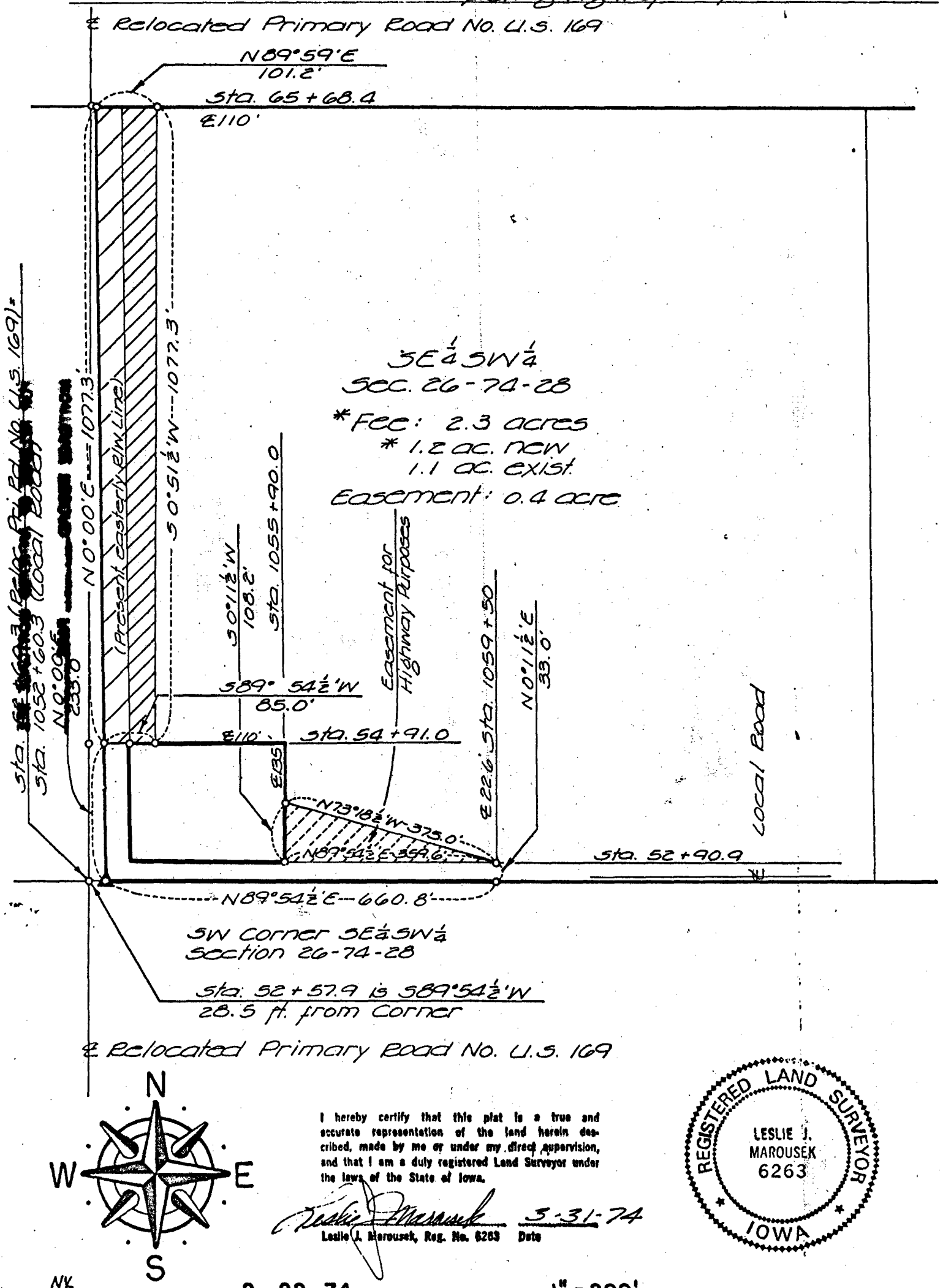
PROJECT NO. FN-169-3(8)--21-61 — PARCEL NO. 8

SECTION 26 — TOWNSHIP 74N — RANGE 28W

ROW - FEE *2.3 — AC, EASE 0.4 — AC, EXCESS - FEE ——— AC

ACQUIRED FROM GERDON H. KIRK ET UX

*Includes 1.2 acre new right of way;
1.1 acre existing right of way;



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 5-31-74

Leslie J. Marousek, Reg. No. 6263 Date

REGISTERED LAND SURVEYOR
LESLIE J. MAROUSEK
6263
IOWA

N.K.

DATE DRAWN 2-22-74 — SCALE 1" = 200' — FILMED

3350-25

MTG. REC. 121