IND. ✓
REC. ✓
PAGE ✓

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

1285

FILED NO. _____
BOOK 121 PAGE 642

1974 AUG -9 AM 11:05

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee $8.50

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 MARCH 6, 1974, AND RECORDED IN THE OFFICE OF THE MADISON COUNTY RECORDER ON MARCH 15, 1974, AND OCCURRING IN BOOK 110, PAGE 371, OR ON FILE WITH THE IOWA STATE HIGHWAY COMMISSION IN AMES, IOWA.

Three parcels of land located in the SW 1/4 NW 1/4, SE 1/4 NW 1/4 NW 1/4 and NW 1/4 NW 1/4 NW 1/4, all in Section 35, T74N, R28W of the 5th P.M., Madison County, Iowa, as shown on Right of Way Plats 1 of 2 and 2 of 2, Exhibits "A" attached hereto and by reference made a part hereof.

THE FEE SIMPLE TITLE GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

Commencing at the NE Corner of the NW 1/4 NW 1/4 of said Section 35; thence S0° 00'E, 656.8 ft. along the east line of said NW 1/4 NW 1/4 to the NE Corner of the SE 1/4 NW 1/4 NW 1/4 of said Section 35; thence S89°40 1/2'W, 68.2 ft. along the north line of said SE 1/4 NW 1/4 NW 1/4 to a point on the present westerly right of way line of (Old) Primary Road No. U.S. 169, the Point of Beginning; thence S0°37 1/2'E, 991.6 ft. along said present westerly right of way line; thence S0°03'E, 945.9 ft. along said present westerly right of way line to a point on the present northerly right of way line of the east-west Local Road along the south line of the SW 1/4 NW 1/4 of said Section 35; thence S89°40 1/2'W, 151.3 ft. along said present northerly right of way line; thence N46°18 1/2'E, 88.8 ft.; thence N0°36 1/2'W, 67.8 ft.; thence northerly 544.3 ft. along a 46,978.4 ft. radius curve, concave easterly and having a chord bearing N0°17'W, 544.3 ft.; thence N12°28'E, 116.9 ft.; thence northerly 186.3 ft. along a 46,953.4 ft. radius curve, concave easterly and having a chord bearing N0°18 1/2'E, 186.3 ft.; thence N4°03 1/2'W, 310.3 ft.; thence N26°16'W, 398.0 ft.; thence N0°37 1/2'E, 296.4 ft. to a point on the north line of the SE 1/4 NW 1/4 NW 1/4 of said Section 35; thence N89°40 1/2'E, 247.5 ft. along said north line to a point on the present westerly right of way line of (Old) Primary Road No. U.S. 169, the Point of Beginning; containing 5.5 acres, more or less.

THE EASEMENT RIGHT, FOR THE PURPOSE OF CONSTRUCTING CHANNEL CHANGES AND FOR PUBLIC HIGHWAY, GRANTED IS TO LANDS DESCRIBED AS FOLLOWS:

Commencing at the NE Corner of the NW 1/4 NW 1/4 of said Section 35; thence S0° 00'E, 2627.2 ft. along the east line of the NW 1/4 of said Section 35 to the SE Corner of the SW 1/4 NW 1/4 of said Section 35; thence S89°40 1/2'W, 715.6 ft. along the south line of said SW 1/4 NW 1/4; thence N0°19 1/2'W, 33.0 ft. to a point on the present northerly right of way line of the east-west Local Road along the south line of the SW 1/4 NW 1/4 of said Section 35, the Point of Beginning; thence N89°40 1/2'E, 507.9 ft. along said present northerly right of way line to a point on the west line of the above described tract being acquired in fee simple title; thence N46°18 1/2'E, 88.8 ft. along said west line; thence N0° 36 1/2'W, 67.8 ft. along said west line; thence northerly 544.3 ft. along a 46,978.4 ft. radius curve, concave easterly and having a chord bearing N0°17'W, 544.3 ft. along said west line; thence S31°14'W, 336.3 ft.; thence southerly 258.7 ft. along a 47,153.4 ft. radius curve, concave easterly and having a chord bearing S0°27 1/2'E, 258.7 ft.; thence S0°36 1/2'E, 66.7 ft.; thence S89°44 1/2'W, 47.2 ft.; thence S79°45'W, 355.6 ft. to a point on the present northerly right of way line of the east-west Local Road along the south line of the SW 1/4 NW 1/4 of said Section 35, the Point of Beginning; containing 2.4 acres, more or less.

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Also, commencing at the NE Corner of the NW 1/4 NW 1/4 of said Section 35; thence S89°40 1/2'W, 653.5 ft. along the north line of said NW 1/4 NW 1/4 to the NE Corner of the NW 1/4 NW 1/4 NW 1/4 of said Section 35, the Point of Beginning; thence continuing S89°40 1/2'W, 17.0 ft. along the north line of said NW 1/4 NW 1/4; thence S64°42 1/2'E, 18.8 ft. to a point on the east line of the NW 1/4 NW 1/4 NW 1/4 of said Section 35; thence N0°01'E, 8.1 ft. along said east line to the NE Corner of said NW 1/4 NW 1/4 NW 1/4, the Point of Beginning; containing 69 sq. ft., 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 John W. Peterson and Lila A. Peterson, dated, June 12, 1971, recorded in the records of the Office of the Recorder of the County of Madison, State of Iowa, in Book 117, page 47 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 13 day of June, 19 74.

(CORPORATE SEAL)

UNION STATE BANK
CORPORATE
SEAL
WINTERSET, IOWA

UNION STATE BANK:

By: D. A. Bolton
(type name) D. A. Bolton Exec. (title)

By: G. L. Leeper
(type name) G. L. Leeper, Cashier (title)

STATE OF IOWA, Madison COUNTY, ss.

On this 13 day of June, A.D. 19 74, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared D. A. Bolton and G. L. Leeper to me personally known, who, being by me duly sworn, did say that they are the Executive Vice President and Cashier, respectively, of said corporation executing the within and foregoing instrument, that (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 authority of its Board of Directors; and that the said D. A. Bolton and G. L. Leeper 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)

Helen L. Powers
Notary Public in and for the State of Iowa

HELEN L. POWERS
MY COMMISSION EXPIRES
SEPTEMBER 30, 1976

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT (1 of 2)
EXHIBIT "A"

COUNTY Madison — STATE CONTROL NO. 10-00
PROJECT NO. FN-169-3(8)--21-61 — PARCEL NO. 3
SECTION 35 — TOWNSHIP 74N — RANGE 28W
ROW - FEE 5.5 — AC, EASE 2.4 — AC, EXCESS - FEE — AC
ACQUIRED FROM JOHN W. PETERSON ET UX

2.9 acres Quit Claim
(Present E/W)

Sta. 52+57.9 is S89°40½'W 28.5' from Cor.
NE Cor. NW¼NW¼ 35-74-28

S89°40½'W 68.2'

Sta. 46+01.0 ℄280'

N89°40½'E 247.5'

N0°37½'E 296.4'

SE¼NW¼NW¼ Sec. 35-74-28

Sta. 43+00 ℄280'

SW¼NW¼NW¼ Sec. 35-74-28

Fee: 3.1 ac.
Q.C.: 1.0 ac.

N0°37½'E 991.6'

N20°56'W 960.6'

N0°00'E 656.8'

Sta. 39+45 ℄100'

SW¼NW¼ Sec. 35-74-28
Fee: 2.4 ac.
Easemt.: 2.4 ac.
Q.C.: 1.9 ac.

N0°37½'E 1970.4'

N4°03½'W 310.3'

Sta. 36+36 ℄75'

N0°00'W 2627.2'

L=186.3' R=46,953.4'
Ch.=N0°18½'E 186.3'

Sta. 34+50 ℄75'

N0°00'E 1945.9'

N12°28'E 116.9'

Sta. 33+36 ℄100'

(Acquire Existing E/W by Quit claim)

P.T. Sta. 38+01.9

N46°18½'E 88.6'

S46°18½'W 49.1'

Permanent easement to construct channel change and for public highway (2.4 acres)

L=258.7' R=47,153.4'
Ch.=S0°27½'E 258.7'

Sta. 30+50 ℄275'

Sta. 1023+47.2

Sta. 1023+00 ℄100'

S31°14'W 336.3'

N0°36½'W 67.8'

S0°36½'E 66.7'

S89°44½'W 47.2'

S79°45'W 355.6'

N0°19½'W 33.0'

Sta. 1019+50 37.0'

℄275'

℄275'

℄100'

℄100'

Sta. 27+25

(Present N'ly E/W line)
Sta. 26+30.5

N89°40½'E 507.9' ℄200'

S89°40½'W 715.6'

N89°40½'E 242.6'

P.C. Sta. 27+92.8

℄ Reloc. Pri. Rd. No. U.S. 169

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 5-7-74
Leslie J. Marousek, Reg. No. 6263, Iowa

REGISTERED LAND SURVEYOR
LESLIE J. MAROUSEK
6263
IOWA

NX
DATE DRAWN 4-30-74 SCALE 1" = 300' FILMED

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT (2 of 2)

EXHIBIT "A"

COUNTY Madison — STATE CONTROL NO. 10-00

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

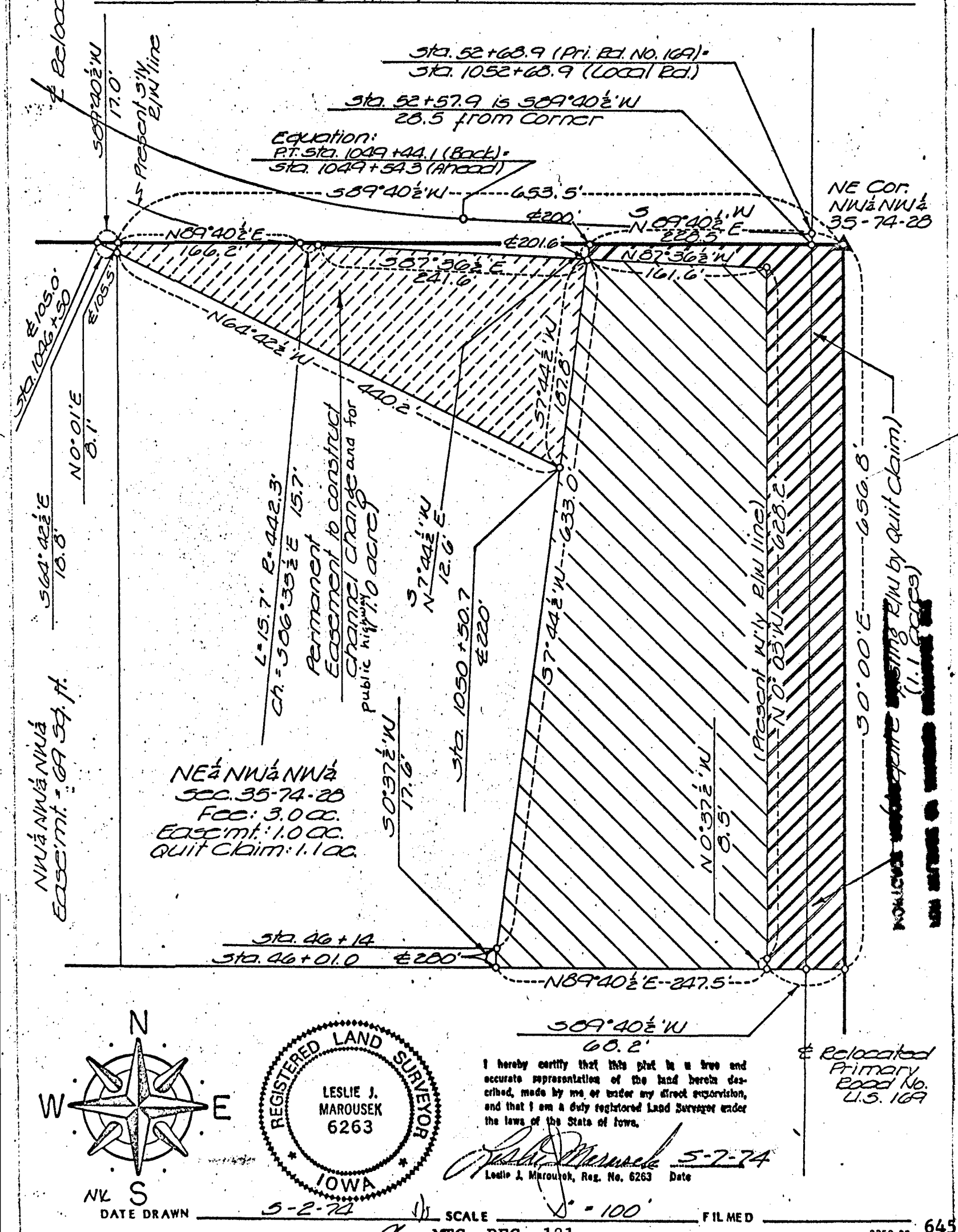
SECTION 35 — TOWNSHIP 74N — RANGE 28W

ROW - FEE 3.0 — AC, EASE 1.0 — AC, EXCESS - FEE ——— AC

ACQUIRED FROM JOHN W. PETESON ET UX

1.1 acre Quit Claim

(Present R/W)



N

W E

S

NL

REGISTERED LAND SURVEYOR
LESLIE J. MAROUSEK
6263
IOWA

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 5-2-74

Leslie J. Marousek, Reg. No. 6263 Date

DATE DRAWN 5-2-74 SCALE 1" = 100' FILMED

MTG. REC. 121

3350-25