Form 479-A 8-73
Iowa State Highway Commission

Parcel No. 14 Project No. FN-169-3(8)--21-61

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 MAY 1, 1974, AND RECORDED IN THE OFFICE OF THE MADISON COUNTY RECORDER ON MAY 22, 1974, AND OCCURRING IN BOOK 110, PAGE 409, OR ON FILE WITH THE IOWA STATE HIGHWAY COMMISSION IN AMES, IOWA.

Two parcels of land located in the SE 1/4 NW 1/4 of Section 23, T74N, R28W of the 5th P.M., Madison County, Iowa, as shown on the 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:

Beginning at the SW Corner of said SE 1/4 NW 1/4; thence N0°00'E, 1310.6 ft. along the west line of said SE 1/4 NW 1/4; thence N89°36 1/2'E, 339.9 ft. along the north line of said SE 1/4 NW 1/4; thence S48°59 1/2'W, 132.7 ft.; thence southerly, 1100.8 ft. along a 11369.2 ft. radius curve, concave easterly and having a chord bearing S3°49'W, 1100.4 ft.; thence S1°03'W, 125.7 ft. to a point on the south line of said SE 1/4 NW 1/4; thence S89°13'W, 164.2 ft. along said south line to the Point of Beginning; containing 6.0 acres, more or less, of which 3.2 acres, more or less, are contained within existing road easements.

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

Commencing at the NW Corner of said SE 1/4 NW 1/4; thence N89°36 1/2'E, 870.9 ft. along the north line of said SE 1/4 NW 1/4; thence S0°23 1/2'E, 16.5 ft. to a point on the present southerly right of way line of a local road running along the north line of said SE 1/4 NW 1/4, the Point of Beginning; thence S89°36 1/2'W, 550.3 ft. along said present southerly right of way line; thence S48°59 1/2'W, 50.0 ft.; thence N89°59 1/2'E, 188.0 ft.; thence N84°47'E, 401.7 ft. to the Point of Beginning; containing 0.3 acre, more or less.

FILED NO. 1422
BOOK 121 PAGE 230
1974 AUG 29 AM 11:15
MARY E. KELLY
RECORDER
MADISON COUNTY, IOWA
$6.50

IND.
REC.
PAGE

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 Sherman D. Oberhauser and Maryellen Oberhauser, dated, March 2, 1965, recorded in the records of the Office of the Recorder of the County of Madison, State of Iowa, in Book 111 of Mortgage, page 285 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 19th day of July, 19 74.

THE MUTUAL BENEFIT LIFE INSURANCE COMPANY,
OF NEWARK, NEW JERSEY: (CORPORATE SEAL)

By: Alfred Stempel (Type name) Alfred P. Stempel, Vice President (Title)

By: George J. Simpson (Type name) George J. Simpson, Assistant Secretary (Title)

CORPORATE

STATE OF IOWA, STORY COUNTY, ss:

On this 19th day of July, A. D. 74 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Alfred P. Stempel and George J. Simpson, to me personally known, who being by me duly sworn, did say that they are the Vice President and Assistant Secretary respectively, of said corporation; 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 Alfred P. Stempel and George J. Simpson, 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.

NOTARIAL SEAL

Mary Lou Wilson

Mary Lou Wilson
Notary Public in and for the State of Iowa.
Notary Public in the State of Iowa.
My Commission Expires Sept. 30, 1975.

INDIVIDUAL

STATE OF _____, _____ COUNTY, ss:

On this _____ day of _____, A. D. 19____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____

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.

_____

_____, Notary Public in and for the State of Iowa

From _____ (Borrowers) To _____ (Lender)

STATE OF IOWA, COUNTY OF _____ } ss.

Filed for record this _____ day of _____, A. D. 19____ at _____ o'clock ____ M., and recorded in Book _____ of _____ on page _____

_____ Deputy

FEE, $ _____ Paid

_____ Recorder

WHEN RECORDED PLEASE RETURN TO _____ (Name)

_____ (Address)

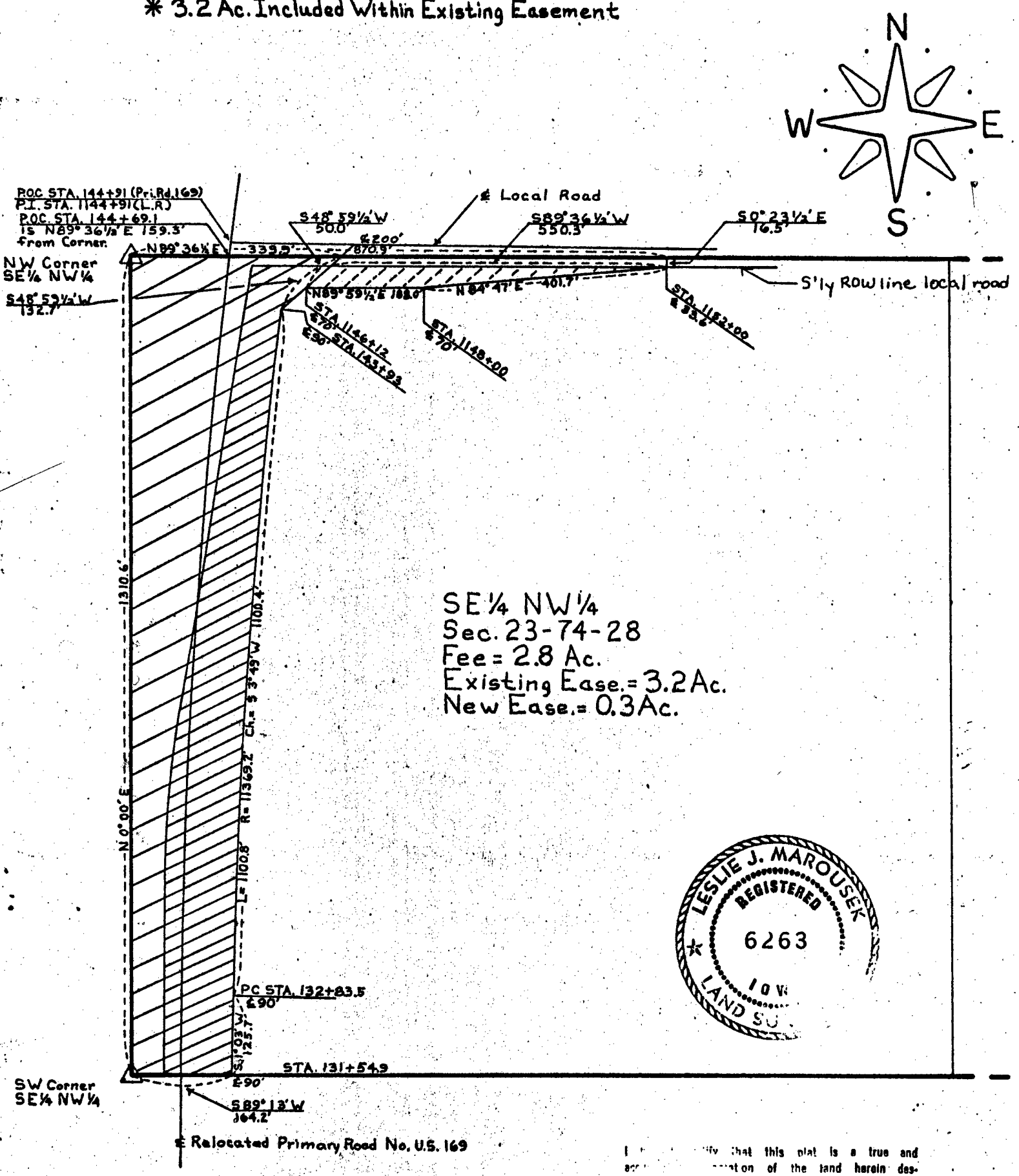
Form 137
11-71

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. 4
SECTION 23 — TOWNSHIP 74N — RANGE 28W
ROW - FEE * 6.0 — AC, EASE 0.3 — AC, EXCESS - FEE ——— AC
ACQUIRED FROM Louis B. Oberhauser etal

* 3.2 Ac. Included Within Existing Easement



SE¼ NW¼
Sec. 23-74-28
Fee = 2.8 Ac.
Existing Ease. = 3.2 Ac.
New Ease. = 0.3 Ac.

LESLIE J. MAROUSEK
REGISTERED
6263
IOWA
LAND SURVEYOR

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 6-11-74
Leslie J. Marousek, Reg. No. 6263 Date

NX
DATE DRAWN 6 June 1974 — SCALE 1"=200' — FILMED

3350-25