Larry Schutz et al
To
Oscar Schwader & wife

#1337

Fee $2.50

Filed for record the 17 day of April A. D. 1962 at 1:00 o'clock P. M.

Mary E. Welty, Recorder

ASSIGNMENT OF REAL ESTATE CONTRACT

This agreement made and entered into this 13th day of April, 1962, by and between Larry

Acres-Blackmar Co., Burlington, 81293

Schutz and Janice Schutz of Madison County, Iowa, hereinafter designated as First Parties and Oscar Schwader and Nellie Schwader, husband and wife of Mahaska County, Iowa, hereinafter designated as Second Parties, Witnesseth:

WHEREAS, Lloyd Holiday and Ruth C. Holiday, husband and wife, did on the 16th day of February, 1959, enter into a contract to sell to Gailen Foreman and Shirley Foreman, husband and wife, the following described real estate, to-wit:

Lots Seventy-six (76) and Seventy-seven (77) Original Addition to the Town of Macksburg, Iowa, and

WHEREAS, said contract was recorded on March 9th, 1959, in Record Book 35 on Page 596 of Town Lot Deeds of the office of the County Recorder of Madison County, Iowa, and

WHEREAS, on October 2nd, 1960, Gailen Foreman and Shirley Foreman, husband and wife, entered into an assignment of a real estate contract under the terms of which they sold and agreed to convey all their right, title and interest in and to the above described real estate to Larry Schutz and Janice Schutz, husband and wife, which assignment of contract was recorded October 10th, 1960 in Deed Record Book 37 on Page 150 of the records of the County Recorder of Madison County, Iowa, and

WHEREAS, there is now due and owing under said contract to the said Lloyd Holiday and Ruth C. Holiday, as of June 1st, 1962 the balance and unpaid principal sum of $4550.00, and

WHEREAS, Oscar Schwader and Nellie Schwader, husband and wife have agreed to purchase all right, title and interest of the said Larry Schutz and Janice Schutz in and to said real estate for the sum of $7500.00 and to pay the sum of $2950.00 to the said Larry Schutz and Janice Schutz upon the execution of the assignment of real estate contract and to pay the balance of $4550.00 to the said Lloyd Holiday and Ruth C. Holiday, their grantors, assignors or legal representatives as follows, to-wit: Fifty ($50.00) Dollars per month on the first day of June, 1962, and Fifty ($50.00) Dollars, on the first day of each consecutive month thereafter until the balance of the purchase price is paid in full, together with interest at the rate of four (4%) per cent per annum, payable semi-annually April 1st and October 1st of each year. All payments are to be made at the Union State Bank at Winterset, Iowa, or Macksburg, Iowa, unless otherwise directed in writing.

NOW THEREFORE, in consideration of second parties agreeing and assuming to pay the $4550.00 the balance due under the Lloyd Holiday and Ruth C. Holiday contract and paying to First Parties the sum of $2950.00 upon the execution of this assignment, the undersigned, Larry Schutz and Janice Schutz hereby sell, assign, transfer and set over to Oscar Schwader and Nellie Schwader, husband and wife, as joint tenants with sole right of survivorship and not as tenants in common, all their right, title and interest in and to Lots Seventy-six (76) and Seventy-seven (77), Original Addition to the Town of Macksburg, Iowa together with all their right, title and interest in and to the said real estate contract recorded in Town Lot Deed Record 35 on Page 596 of the records of the County Recorder of Madison County, Iowa.

Dated at Macksburg, Iowa this 13th day of April, 1962.

Larry Schutz
Larry Schutz
Janice Schutz
Janice Schutz
First Parties

Oscar Schwader
Oscar Schwader
Nellie Schwader
Nellie Schwader
Second Parties

STATE OF IOWA MADISON COUNTY) SS:

On this 14 day of April, 1962, before me personally appeared Larry Schutz, Janice Schutz, Oscar Schwader and Nellie Schwader 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 for the purpose therein specified.

NOTARIAL SEAL

Dorothy Crow Notary Public
in and for Madison County, Iowa