Deed Record No. 70, Madison County, Iowa

MATT PARROTT & SONS CO., WATERLOO, IOWA B51937

W. T. Guiher

To

August E. Hartz & Wife.

#313

Fee $.70 ✓

Filed for record the 19th day of Jan. A. D. 1934 at 3:15 o'clock P.M.

Maggie Reese Hobbs, Recorder.
Jessie Allgeyer, Deputy.

AGREEMENT AS TO PARTITION LINE.

WHEREAS, the McCall Land and Loan Company, of Winterset, Iowa, was the owner of the Northwest Fractional Quarter (¼) of the Northwest Quarter (¼) of Section Three (3), and the Northeast Fractional Quarter (¼) of the Northeast Quarter (¼) of Section Four (4), all in Township Seventy-seven (77) North, of Range Twenty-six (26) West of the 5th P.M., (hereinafter called the "said 80",) and there is now, and has been for many years last past, a used highway running North and South across said land, but said highway does not run in a straight line; and,

That the said McCall Land and Loan Company sold and conveyed unto W. T Guiher said NW Frl. ¼ NW¼ 3-77-26, and a strip (to be used for highway purposes) 40 feet in width off the East side of the NE Frl. ¼ NE¼ 4-77-26; and,

That the said McCall Land and Loan Company sold and conveyed unto Will H. Henry the NE Frl. ¼ NE¼ 4-77-26, except a strip (to be used for highway purposes) 40 feet in width along the East side thereof, and the said Will H. Henry and wife conveyed said tract to August E. Hartz; and,

The said owners desire that the highway run in a straight line, and said owners find that the East line of said used highway intersects the South line of the "said 80" practically 23½ feet West of the center of "said 80"; And that the West line of said used highway intersects the North line of "said 80" practically 2 feet West of the center of "said 80."

NOW, It is hereby agreed by and between W. T. Guiher, single, and August E. Hartz, and Augusta R. Hartz, his wife, that the West line of the Northwest Fractional Quarter (¼) of the Northwest Quarter of Section 3, Township 77 North, of Range 26 West of the 5th P.M., shall be as follows:

Commencing at the point of intersection of the East line of the present highway and the South line of "said 80", and run in a straight line to a point 23½ feet East of the center of "said 80", on the North line thereof and that the East line of said highway shall be, as between all parties, the West line of the said Northwest Fractional Quarter (¼) of the Northwest Quarter (¼) of Section 3, Township 77 North, of Range 26 West of the 5th P. M., and the East line of the Northeast Fractional Quarter (¼) of the Northeast Quarter (¼) of Section 4, Township 77 North, of Range 26 West of the 5th P. M.

Dated this 30th day of June, A. D. 1933.

W. T. Guiher
August E. Hartz
Augusta R. Hartz

State of Iowa)
- SS.
Madison County)

On this 30th day of June, A. D. 1933, before the undersigned, a Notary Public in and for said County, came W. T. Guiher, single and August E. Hartz and Augusta R. Hartz, husband and wife, to me personally known to be the identical persons whose names are subscribed to the foregoing instrument as makers thereof, and acknowledged the execution of the same to be their voluntary act and deed.

WITNESS My hand and Notarial Seal at Winterset, Iowa, the day and year last above written.

(NOTARIAL SEAL)

N. E. Hollen
Notary Public in and for
Madison County, Iowa.

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The above agreement is approved this 30th day of June, A. D. 1933.

Madison County State Bank, Executor of
the estate of J. J. Gaston, decd.

COMPARED

By Nels Bertholf President
Mortgagee.