Frank G. Jorgensen Et al To Madison County, Iowa

#1323

No Fee

Filed for record the 17 day of April A. D. 1962 at 8:15 o'clock A. M.

Mary E. Welty, Recorder

EASEMENT FOR PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS: That Frank G. Jorgensen and Essie Jorgensen husband & wife and Kathryn Kendall and Russell E. Kendall, husband and wife in consideration of the sum of One Hundred Ninety-Five and 50/100 Dollars in hand paid by Madison County, Iowa, do hereby sell and convey unto the said Madison County, for road purposes and for use as a Public Highway, the following described premises situated in the County of Madison, State of Iowa, to-wit:

Beginning at a point 2623.6 feet north of the SE corner of section 7 T76N R29W of the 5th P.M.; thence N0°09'W 1231.0 feet; thence N0°24'W 106.0 feet; thence S89°36'W 45.0 feet; thence S0°24'E 106.0 feet; thence S0°09'E 957.0 feet; thence S89°51'W 15.0 feet; thence S0°09'E 92.0 feet; thence N89°51'E 15.0 feet; thence S0°09'E 182.0 feet; thence N89°51'E 45.0 feet to the point of beginning and containing 0.49 acres, more or less, exclusive of the present established highway.
Note: the east line of the SE¼ section 7 T76N R29W is assumed to bear due north and south.
Also, commencing at the NE corner of section 6 T76N R29W of the 5th P.M.; thence south 2663.2 feet; thence S0°13'E 1263.8 feet to the point of beginning; thence S0°13'E 1300.00 feet; thence S89°47'W 45.0 feet; thence N0°13'W 280.0 feet; thence N2°27'W 639.49 feet; thence N21°45'E 66.85 feet; thence N0°13'W 319.0 feet; thence N89°47'E 45.0 feet to the point of beginning and containing 0.65 acres, more or less, exclusive of the present established highway.
Note: the east line of the NE¼ of section 6 is assumed to bear due north and south.

and we hereby covenant with the said Madison County that we are lawfully seized of said premises; that they are free from incumbrance that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever and the said Essie Jorgensen & Russell K. Kendall hereby relinquishes their right of dower in and to the premises hereinbefore conveyed.

Dated this 9th day of February, A.D. 1962.

Frank G. Jorgensen
Frank G. Jorgensen
Essie Jorgensen
Essie Jorgensen

Russell E. Kendall
Russell E. Kendall
Kathryn Kendall
Kathryn Kendall

STATE OF IOWA, MADISON COUNTY, SS.

On this 9th day of February A.D. 1962, before me Fayola McKee a Notary Public in and for said County, personally appeared Frank Jorgensen to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

(NOTARIAL SEAL)

Fayola McKee Notary Public
in and for said County.

For a valuable consideration, in hand paid by Madison County, Iowa, the undersigned hereby waives and quit claims unto the said county, for road and highway purposes, any interest he may have in the premises described in the foregoing instrument.

Signed this 15th day of March, A.D. 1962.

Russell E. Kendall
Kathryn Kendall

STATE OF NEBRASKA, DOUGLAS COUNTY, SS.

On this 15th day of March A.D. 1962, before me Homer M. Cox a notary public in and

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for said county personally appeared Kathryn Kendall and Russell E. Kendall to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

Homer M. Cox Notary Public
in and for Douglas County.
Commission expires 7/26/67

STATE OF IOWA, MADISON COUNTY, SS.

On this 28th day of March A.D. 1962, before me Fayola McKee a notary public in and for said county personally appeared Essie Jorgensen to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

(NOTARIAL SEAL)

Fayola McKee Notary Public
in and for Madison County.

EASEMENT FOR PUBLIC HIGHWAY

KNOW ALL MEN BY THESE PRESENTS: That Frank G. Jorgensen and Essie Jorgensen, husband & wife and Kathryn Kendall and Russell E. Kendall, husband and wife in consideration of the sum of Five Hundred Twenty-five and no/100 Dollars in hand paid by Madison County, Iowa, do hereby sell and convey unto the said Madison County, for road purposes and for use as a Public Highway, the following described premises situated in the County of Madison State of Iowa, to-wit:

Beginning at a point 51.0 feet east of the SW corner of Section 6 T76N R29W of the 5th P.M.; thence continuing east 4950.8 feet; thence north 40.0 feet; thence west 1962.8 feet; thence N87°08'W 100.12 feet; thence west 150.0 feet; thence S87°08'W 100.12 feet; thence west 2150.0 feet; thence N87°08'W 100.12 feet; thence West 388.0 feet; thence south 45.0 feet to the point of beginning and containing 2.35 acres, more or less, exclusive of the present established highway.
Note: the south line of section 6 T76N R29W is assumed to bear due east.
Also, beginning at a point 1302.8 feet west of the NE corner of section 7 T76N R29W of the 5th P.M.; thence continuing west 1329.0 feet; thence south 40.0 feet; thence east 224.0 feet; thence S87°08'E 100.12 feet; thence east 200.0 feet; thence N87°08'E 100.12 feet; thence east 705.0 feet; thence north 40.0 feet to the point of beginning and containing 0.65 acres, more or less, exclusive of the present established highway
Note: the north line of the NE¼ section 7 T76N R29W is assumed to bear due east.

that we hereby covenant with the said Madison County that we are lawfully seized of said premises; that they are free from incumbrance that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever and the said Essie Jorgensen & Russell E. Kendall hereby relinquishes their right of dower in and to the premises hereinbefore conveyed.

Signed this 15th day of March, A.D. 1962.

Frank G. Jorgensen
Frank G. Jorgensen
Essie Jorgensen
Essie Jorgensen

Russell E. Kendall
Russell E. Kendall
Kathryn Kendall
Kathryn Kendall

STATE OF NEBRASKA, DOUGLAS COUNTY,SS.

On this 15th day of March A.D. 1962, before me Homer M. Cox a Notary Public in and for said County, personally appeared Frank Jorgensen, Essie Jorgensen, Kathryn Kendall and Russell E. Kendall to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

Homer M. Cox Notary Public
in and for said County.
Commission expires 7-26-67

DEED OF PARTIAL RELEASE 126,384

WHEREAS, Frank G. Jorgensen and Essie Jorgensen, husband and wife; and Russell E. Kendall and Kathryn Kendall, husband and wife executed a certain mortgage or deed of trust unto The Equitable Life Assurance Society of the United States dated the 5th day of June 1958, to secure the payment of a note or bond of even date therewith, in the sum of $27,500.00 recorded in Madison County, Iowa, in 106 Book 359 Page

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NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the said The Equitable Life Assurance Society of the United States, for valuable consideration unto it paid at the execution and delivery hereof, the receipt whereof is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the owner or owners thereof, the following described real property, being in the Township of Jackson, County of Madison and State of Iowa, to-wit:

> Commencing at the NE corner of Section 6 T76N R29W of the 5th P.M.; thence south 2263.2 feet; thence S0°13'E 1263.8 feet; thence S0°13'E 1300.0 feet; thence S89°47'W 45.0 feet; thence N0°13'W 280.0 feet; thence N2°27'W 639.49 feet; thence N21°45'E 66.85 feet; thence N0°13'W 319.0 feet; thence N89°47'E 45.0 feet to the point of beginning and containing 0.65 acres, more or less, exclusive of the present established highway, and also the following:
> Beginning at a point 1302.8 feet west of the NE corner of Section 7 T76N R29W of the 5th P.M.; thence continuing west 1329.0 feet; thence south 40.0 feet; thence east 224.0 feet; thence S87°08'E 100.12 feet; thence east 200.0 feet; thence N87°08'E 100.12 feet; thence east 705.0 feet; thence north 40.0 feet to the point of beginning and containing 0.65 acres, more or less, exclusive of the present established highway.

TO HAVE AND TO HOLD THE SAME WITH THE APPURTENANCES unto the said owner or owners, forever freed, exonerated and discharged of and from the aforesaid lien.

PROVIDED always, nevertheless, that nothing herein contained shall in any wise affect, alter or diminish the aforesaid lien or encumbrance on the remaining part of the real property described therein, or the remedies at law for recovering from the parties liable to pay the same the balance of said principal sum, with interest, secured thereby.

IN WITNESS WHEREOF, the said The Equitable Life Assurance Society of the United States has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer this 6th day of April, 1962.

(CORPORATE SEAL)

THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES
By E. E. McLean
E. E. McLean Vice President

STATE OF NEW YORK COUNTY OF NEW YORK) SS.

On this 6th day of April 1962, before me, a notary public in and for said County and State, personally appeared E. E. McLean to me personally known to be a Vice President of The Equitable Life Assurance Society of the United States, the corporation described in and that executed the foregoing instrument having authority to execute such instrument, who, being by me duly sworn, did say that he is a Vice President of the said The Equitable Life Assurance Society of the United States, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and the said Vice President acknowledged that he and said corporation executed the said instrument as his free and voluntary act and deed and as the free and voluntary act and deed of said corporation for the uses and purposes therein expressed.

WITNESS my hand and notarial seal the day and year last above written.

(NOTARIAL SEAL)

Maria O'Neill
MARIA O'NEILL
Notary Public, State of New York
Qualified in Kings County No. 24-2965950
Cert. filed New York County Clerk Office
Commission expires March 30, 1963.

DEED OF PARTIAL RELEASE 126,384

WHEREAS, Frank G. Jorgensen and Essie Jorgensen, husband and wife; and Russell E. Kendall and Kathryn Kendall, husband and wife, executed a certain mortgage or deed of trust unto The Equitable Life Assurance Society of the United States dated the 5th day of June, 1958, to secure the payment of a note or bond of even date therewith, in the sum of $27,500.00 recorded in Madison County, Iowa, in 106 book 359 Page

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the said The Equitable Life Assurance Society of the United States, for valuable consideration unto it paid at the execution and delivery hereof, the receipt whereof is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the owner or owners thereof, the following described real property, being in the Township of Jackson, County of Madison and State of Iowa, to-wit:

Beginning at a point 2623.6 feet north of the SE corner of Section 7 Township 76N, Range 29, West of the 5th P.M., thence N0°09'W 1231.0 feet; thence N0°24'W 106.0 feet; thence S89°36'W 45.0 feet; thence S0°24'E 106.0 feet; thence S0°09'E 957.0 feet; thence S89°51'W 15.0 feet; thence S0°09'E 92.0 feet; thence N89°51'E 15.0 feet; thence S0°09'E 182.0 feet; thence N89°51'E 45.0 feet to the point of beginning and containing 0.49 acres, more or less, exclusive of the present established highway, and also the following:
Beginning at a point 51.0 feet east of the SW corner of Sec. 6, Township 76N Range 29 W of the 5th P.M.; thence continuing east 4950.8 feet; thence north 40.0 feet; thence West 1962.8 feet; thence N87°08'W 100.12 feet; thence west 150.0 feet; thence S87°08'W 100.12 feet; thence west 2150.0 feet; thence N87°08'W 100.12 feet; thence West 388.0 feet; thence south 45.0 feet to the point of begining and containing 2.35 acres more or less, exclusive of the present established highway.

TO HAVE AND TO HOLD THE SAME WITH THE APPURTENANCES unto the said owner or owners, forever freed, exonerated and discharged of and from the aforesaid lien.

PROVIDED always, nevertheless, that nothing herein contained shall in any wise affect, alter or diminish the aforesaid lien or encumbrance on the remaining part of the real property described therein, or the remedies at law for recovering from the parties liable to pay the same the balance of said principal sum, with interest, secured thereby.

IN WITNESS WHEREOF, the said The Equitable Life Assurance Society of The United States has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer this 6th day of April, 1962.

(CORPORATE SEAL)

THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES
By E. E. McLean
E. E. McLean Vice President

STATE OF NEW YORK COUNTY OF NEW YORK) SS.

On this 6th day of April 1962, before me, a notary public in and for said County and State, personally appeared E. E. McLean to me personally known to be a Vice President of The Equitable Life Assurance Society of The United States, the corporation described in and that executed the foregoing instrument having authority to execute such instrument, who, being by me duly sworn, did say that he is a Vice President of the said The Equitable Life Assurance Society of the United States, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and the said Vice President acknowledged that he and said corporation executed the said instrument as his free and voluntary act and deed and as the free and voluntary act and deed of said corporation for the uses and purposes therein expressed. Witness my hand and notarial seal the day and year last above written.

NOTARIAL SEAL

Maria O'Neill
MARIA O'NEILL
Notary Public, State of New York
Qualified in Kings County No. 24-2965950
Cert. filed New York County Clerk Office
Commission expires March 30, 1963.