Deed Record, No. 91, Madison County, Iowa

Raymond R. Gillespie Trust
By Edith P. Gillespie et al
To
Madison County, Iowa

32-265
(5)

#2211

No Fee

EASEMENT FOR PUBLIC HIGHWAY

#2602

Filed for record the 16 day of July A. D. 1962 at 10:33 o'clock A. M.
Mary E. Welty, Recorder
Shirley G. Henry, Deputy

COMPARED FILED 1962 JUL 11 PM 12:02
MARGUERITE MORRISSEY CLERK OF
DISTRICT COURT MADISON COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS: That Edith P. Gillespie and Iowa-Des Moines National Bank, Trustees of the Edith P. Gillespie Trust, under the Will of Raymond R. Gillespie, deceased, of Madison County, State of Iowa in consideration of the sum of Eighty-seven 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 33.0 feet north of the SE corner of section 18 T76N R29W of the 5th P.M.; thence continuing north 1283.0 feet; thence west 40.0 feet; thence south 1283.0 feet; thence east 40.0 feet to the point of beginning and containing 0.29 acres, more or less, exclusive of the present established highway.
> Note: the east line of the SE¼ section 18 is assumed to bear due north.

and they hereby covenant with the said Madison County that they are lawfully seized of

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said premises; that they are free from incumbrance that they have good and lawful authority to sell and convey the same, and they do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed this 3 day of March, A.D. 1962.

Edith P. Gillespie
Edith P. Gillespie
Iowa-Des Moines National Bank
By Lewis C. Cobb Jr. Trust Officer
Trustees of the Edith P. Gillespie Trust
u/w of Raymond R. Gillespie, deceased.

STATE OF IOWA, MADISON COUNTY, SS.

On this 21st day of June A.D. 1962, before me Shirley A. Webster a Notary Public in and for said County, personally appeared Edith P. Gillespie 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 of herself and of such fiduciary.

(NOTARIAL SEAL)

Shirley A. Webster Notary Public
in and for said County.

STATE OF IOWA, POLK COUNTY, SS.

On this 22 day of June A.D. 1962 before me Mary T. Richter a notary public in and for said county personally appeared Lewis C. Cobb, Jr. 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)

Mary T. Richter Notary Public
in and for Polk County.

STATE OF IOWA MADISON COUNTY, SS: IN THE DISTRICT COURT OF SAID COUNTY.

I, Marguerite Morrissey, Clerk of the District Court in and for said County, do hereby certify that the foregoing Easement for Public Highway executed by Edith P. Gillespie and Iowa-Des Moines National Bank, Trustees of the Edith P. Gillespie Trust, under the Will of Raymond R. Gillespie, deceased as stated therein, to Madison County, Iowa having been by the said Trustees returned into Court for approval, and it appearing to the Court that the said Trustees have complied with all the requirements of the law and of this Court in making such Easement, it was therefore ordered that the said Easement be and the same was on the 11th day of July, 1962 approved by said Court.

WITNESS my hand and the seal of said Court hereto affixed this 11th day of July, A.D. 1962.

(DISTRICT COURT SEAL)

Marguerite Morrissey Clerk
of the District Court.

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

IN THE MATTER OF THE ESTATE OF	:	PROBATE NO. 6161
RAYMOND R. GILLESPIE, deceased EDITH P. GILLESPIE TRUST	:	ORDER AUTHORIZING GRANT OF EASEMENT FOR ROAD PURPOSES AND APPROVING GRANT OF EASEMENT.

At Winterset, Iowa, on this 11 day of July 1962, on Application of Edith P. Gillespie and Iowa-Des Moines National Bank, trustees of the Edith P. Gillespie Trust under the Will of Raymond R. Gillespie, deceased, for an order authorizing said trustees to grant an easement across the following described real estate, to-wit:

> Beginning at a point 33.0 feet North of the Southeast Corner of Section 18, Township 76 North, Range 29 West of the 5th P.M.; thence continuing North 1283.0 feet; thence West 40.0 feet; thence South 1283.0 feet; thence East 40.0 feet to the point of beginning and containing 0.29 acres, more or less, exclusive of the present established highway.

to Madison County, Iowa, for highway purposes for the sum of Eighty-seven Dollars ($87) for easement across said real estate, and One Hundred and Seventeen Dollars ($117) for moving approximately 78 rods of fence; and the beneficiaries of said trust having filed written waivers of notice of hearing on said application. IT IS ORDERED by the Court that said

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trustees are hereby authorized to grant said easement and are hereby authorized to execute and deliver the grant of easement attached to said application to Madison County, Iowa, upon payment of the amounts recited in said application.

All of which are now and hereby ordered and entered of record.

COMPARED

/s/ Phil R. Wilkinson Judge
of the Fifth Judicial District of Iowa