Deed Record, No. 88, Madison County, Iowa

BOONE BLANK BOOK CO., BOONE, IOWA. 14111-54

Dale D. Orr & wife
To
John J. Penick & wife

#3707
$1.40

Filed for record the 3 day of June A. D. 1955 at 11:40 o'clock A. M.

Mary E. Welty, Recorder

ASSIGNMENT AND AGREEMENT

THIS AGREEMENT made and entered into this 19 day of November, A.D., 1954, by and between Dale D. Orr and Margaret Orr, husband and wife of Madison County, Iowa, hereinafter designated as First Parties and John J. Penick and Rose Mary Penick, husband and wife, of Warren County, Iowa, hereinafter designated as Second Parties, WITNESSETH:

WHEREAS on October 14th, 1949, J. B. Call of Madison County, Iowa, sold to First Parties herein, the following described real estate, to-wit:

> The Fractional Northwest Quarter (NW¼) and the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Thirty-one (31), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Iowa

for and in consideration of the sum of Six Thousand ($6000.00) Dollars, and

WHEREAS, said contract was duly filed for record the 17th day of October, A. D., 1949 at 3:00 o'clock P. M., Book 84 on Page 312 of the Records of the County Recorder of Madison County, Iowa, and

WHEREAS, there is now due and unpaid on said contract, the sum of Three Thousand Two Hundred ($3200.00) Dollars, and

WHEREAS, First Parties herein have agreed to sell and Second Parties have agreed to purchase all right, title and interest of First Parties in and to the land contract hereinbefore referred to, and Second Parties have agreed to purchase all of the right, title and interest in and to said contract for and in consideration of the sum of Six Thousand ($6000.00) Dollars.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the parties hereto that for and in consideration of the sum of Six Thousand ($6000.00) Dollars, First Parties do hereby agree to sell and convey to Second Parties and Second Parties hereby agree to purchase from First Parties, all right, title and interest of First Parties in and to the Fractional Northwest Quarter (NW¼) and the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Thirty-one (31), Township Seventy-five (75) North, Range Twenty-six (26) West of the fifth P. M. Madison County, Iowa, and the contract of sale between J. B. Call, the record owner of the legal title to said real estate and Dale D. Orr and Margaret Orr, designated as First Parties herein, which contract is recorded in Book 84, on Page 312 of the records of the County Recorder of Madison County, Iowa. Second Parties agree to pay the said sum of Six Thousand ($6000.00) Dollars as follows:

By assuming and agreeing to pay the balance of Three Thousand ($3000.00) Dollars, due J. B. Call under said contract together with interest thereon at the rate of Four (4%) per cent per annum as provided in said contract and by paying the balance of Three Thousand ($3000.00) Dollars as follows:

One Thousand Five Hundred ($1500.00) Dollars upon the execution of this Agreement and One Thousand Five Hundred ($1500.00) Dollars on or about March 1st, 1955. Possession of said real estate is to be given on March 1st, 1955 at which time final settlement is to be made as provided in this Agreement. First Parties reserve the right to remove the brooder house from said farm. All of the buildings are to remain and title to said buildings shall pass with the land.

Dale D. Orr
Margaret Orr — First Parties

John J. Penick
Rose Mary Penick — Second Parties

STATE OF IOWA MADISON COUNTY) ss:

On this 19 day of November, A. D., 1954, before me personally appeared Dale D. Orr and Margaret Orr; John J. Penick and Rose Mary Penick 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

Jno. N. Hartley Notary Public
in and for Madison County, Iowa.