

301

FILED
BOOK 528 PAGE 469

45E

1976 JAN 21 PM 4.08

MARGUERITE GOWIN
DALLAS CO. RECORDER

EASEMENT FOR RIGHT-OF-WAY

WHEREAS, Russell M. Parker and Alvina M. Parker, husband and wife, parties of the first part, have heretofore granted unto Walter Elder, Jr., party of the second part, an easement for right-of-way over and across certain property by instrument filed August 14, 1972, at Book 500 Page 368 of the Dallas County Records; and

WHEREAS, the description of said easement should be enlarged to include all of the distance between the public highway and the property owned by Walter Elder, Jr.;

NOW, THEREFORE, IT IS UNDERSTOOD AND AGREED by and between the parties hereto as follows:

1. For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, parties of the first part, Russell M. Parker and Alvina M. Parker, hereby grant, bargain, sell and convey unto Walter Elder, Jr., party of the second part, a perpetual easement over and across the following described real estate:

Beginning at the Southeast Corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) in Section 17, Township 78 North, Range 26 West of the 5th P. M., Dallas County, Iowa, thence West along the South line of said Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) in Section 17-78-26 916.6 feet; thence North 40 feet; thence East parallel to the South line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 17-78-26 916.6 feet; thence South 40 feet to the point of beginning.

2. In all other respects, the terms and conditions of the easement agreement between the parties hereto filed for record August 14, 1972, at Book 500 Page 368 shall remain the same and fully binding on the parties hereto and the same are hereby incorporated in this instrument as though fully set out herein.

Dated this 8th day of JANUARY, 1976.

First Parties:

Second Party:

Russell M. Parker
Russell M. Parker

Walter Elder, Jr.
Walter Elder, Jr.

Alvina M. Parker
Alvina M. Parker

STATE OF IOWA

ss:

COUNTY OF DALLAS

On this 8th day of JANUARY, 1976, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Russell M. Parker, Alvina M. Parker and Walter Elder, Jr., to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Victor J. Logsdon
Notary Public in and for the State of Iowa

VICTOR J. LOGSDON
MY COMMISSION EXPIRES
SEPT. 30, 1976