Exemption #21

Space Above Line for Recorder

WARRANTY DEED

For the consideration of One Dollar ($1.00) and other valuable consideration, EDWARD D. TSCHIGGFRIE and JOAN C. TSCHIGGFRIE, husband and wife, do hereby Convey to JEFFREY DEAN STATE and CYNTHIA K. STATE, husband and wife, as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, the following described real estate in Delaware County, Iowa:

Parcel A, Part of Lots Eight (8), Eleven (11) and Twelve (12) of State's Subdivision of the South one-half (S 1/2) of the Northwest Quarter (NW 1/4); the North half (N 1/2) of the Southwest Quarter (SW 1/4); The West twenty-two fortieths (22/40) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4); the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4); the West three-eighths (3/8) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4); and the West twenty-two fortieths (22/40) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4), all in Section Nine (9), Township Eighty Eight (88) North, Range Five (5) West of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 7 Plats, Page 20

Grantors also reserve unto themselves and their successors and assigns a perpetual and nonexclusive easement for right of way over the above described real estate, provided that Grantors and their successors and assigns agree that said road shall not be used for any purpose relating to the rock quarrying and mining business carried on by Grantor or by Tschiggfrie Excavating Co., Tschiggfrie Stone Co., or their respective successors and assigns; and further provided that said perpetual and nonexclusive easement for right of way reserved by Grantors and their successors and assigns herein shall terminate and be released if and when Parcel A as described above is dedicated to and accepted by any governmental body as a public road.

The provisions of paragraphs 2(k), 2(l), 6, 7, and 8 of the Real Estate Contract between Grantors and Grantees dated February 5, 1993, and filed with the Delaware County Recorder on September 15, 1993, in Book 132 L.D., page 36, shall survive the execution, delivery and recording of this Deed and shall continue to be applicable and binding upon Grantors, Grantees, and their respective heirs, successors and assigns.

Grantors do hereby Covenant with Grantees, and successors in interest, that Grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is Free and Clear of all Liens and Encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to context.

Dated October 25, 1993.

Edward D. Tschiggfrie

Joan C. Tschiggfrie

FILE No. 328-1274
RECORDING FEE $ 11.00
TRANSFER FEE $ 5.00

FILED FOR RECORD THE 27 DAY OF Oct, 1993 AT 9:23 O'CLOCK A. M. BOOK 132 PAGE 100

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
LD

STATE OF IOWA)
)
COUNTY OF DUBUQUE) ss:

On this 25th day of October 1993, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Edward D. Tschiggfrie and Joan C. Tschiggfrie, husband and wife, 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.

Notary Public in and for State of Iowa

328-1274

FILED

'93 OCT 27 AM 9 23

BOOK 132 PAGE 100
RECORDER
$11.00

Edward D. Tschiggfrie
& Wife

To

Jeffrey Dean State
& Wife

Entered for taxation 2nd day
of November A.D., 1993
Sharon McCrabb, Auditor
By Carla K Backs, Deputy
Transfer Fee Paid
88-222

Auditors Fee $5.00

Jeff State
R 1 Box 175 F
Manchester, IA 52057