ENV.
SIMMONS, PERRINE,
ALBRIGHT & ELLWOOD
115 THIRD ST. SE, SUITE 1200
CEDAR RAPIDS, IA. 52401-1266

DELAWARE COUNTY IOWA
FILED

1999 JL -8 AM 10:32

BOOK 99 PAGE 2411
DEBORAH L. FEYTON
DELAWARE CO. RECORDER
#41.00

FILED
99 JUN 23 AM 9:12
CLERK OF DISTRICT COURT
DELAWARE COUNTY, IOWA

IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

IN THE MATTER OF	)	
	)	
THE ESTATE OF	)	PROBATE NO. ESPRO 040998
	)	
H. VIRYL SCHLUETER,	)	DISCLAIMER
	)	
Deceased.	)	

The undersigned, Phyllis J. Schlueter, irrevocably and completely disclaims and irrevocably and unqualifiably refuses to accept, pursuant to Section 633.704, Code of Iowa, and Section 2518 of the Internal Revenue Code, the following:

A. The Decedent's entire one-half (½) interest as a joint tenant in the following items held in joint tenancy with the Decedent and the undersigned, including not only any interest in such one-half interest in such property as the Surviving Joint Tenant, but also any interest in such one-half interest in such property which the undersigned would receive as a beneficiary of the Estate of Decedent under his Last Will and Testament, or under the rules of intestacy, as the Surviving Spouse of Decedent.

1. REAL ESTATE LOCATED IN BUCHANAN COUNTY, IOWA, LEGALLY DESCRIBED AS:

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 88 NORTH, RANGE 7 WEST OF THE 5TH P.M. IN BUCHANAN COUNTY, IOWA

2. REAL ESTATE LOCATED IN DELAWARE COUNTY, IOWA, LEGALLY DESCRIBED AS:

THE SOUTHWEST FRACTIONAL QUARTER (SWF1/4) OF SECTION THIRTY-ONE (31) IN TOWNSHIP EIGHTY-EIGHT (88) NORTH, RANGE SIX (6) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, CONTAINING 140 ACRES, MORE OR LESS, ACCORDING TO GOVERNMENT SURVEY, DELAWARE COUNTY, IOWA, BUT EXCLUDING THE 5.10 ACRES WITH HOUSE AND BUILDINGS, LEGALLY DESCRIBED ON THE ATTACHED EXHIBIT "A", AS TO WHICH THE UNDERSIGNED MAKES NO DISCLAIMER.

3. REAL ESTATE LOCATED IN DELAWARE COUNTY, IOWA, LEGALLY DESCRIBED AS:

THE WEST ONE-HALF (W1/2) OF THE NORTHWEST FRACTIONAL QUARTER (NWFR1/4) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE SIX (6), WEST OF THE FIFTH PRINCIPAL MERIDIAN.

B. Decedent's undivided one-half interest in the real estate located in Delaware County, Iowa, legally described as:

THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-ONE (31) IN TOWNSHIP EIGHTY-EIGHT (88), RANGE SIX (6) WEST OF THE FIFTH PRINCIPAL MERIDIAN.

C. Such fractional share of the Decedent's ownership interest in the Farm Equipment included on Schedule F, Item No. 23 as set forth in the Amended Probate Inventory on file herein and a copy of which item is attached hereto and by this reference

incorporated herein, the numerator of which fraction is the amount, if any, required to increase my taxable estate, as finally determined for Federal Estate Tax purposes, to the largest amount which, after allowing for the full use by my Executor of the Unified Credit against Federal Estate Taxes available to my Estate, and the State Death Tax Credit against such Tax (but only to the extent that the use of such State Death Tax Credit does not increase the Death Tax payable to any State), will result in no Federal Estate Tax being imposed on my Estate, taking into account all other transfers occurring at Decedent's death, including the transfers occurring under the other provisions of this Disclaimer, having also taken into account those Expenses and Debts deducted on Schedule J and K of the Federal Estate Tax Return, and the denominator of which is the value of such Farm Equipment as finally determined for federal estate tax purposes.

The undersigned further disclaims and refuses to accept the income from the disclaimed portions of the Decedent's interest in the above-listed disclaimed assets.

A copy of this Disclaimer has been delivered to the Personal Representative of the Estate of H. Viryl Schlueter by the undersigned this 22nd day of June, 1999, and a copy shall

be filed with the Clerk of the District Court in and for Delaware County in the Estate proceedings.

DATED this 22nd day of June, 1999, at Cedar Rapids Iowa.

Phyllis J. Schlueter

Phyllis J. Schlueter

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 22nd day of June, 1999, before me, the undersigned, personally appeared Phyllis J. Schlueter, to me known to be the person named in and who executed the foregoing instrument and acknowledge that she executed the same as her voluntary act and deed.

NOTARY PUBLIC - STATE OF IOWA

RECEIPT

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

The undersigned, being duly sworn, states that she is a duly appointed and qualified Personal Representative of the Estate of H. Viryl Schlueter, Deceased, and that on the date and place as hereinafter set forth, she received the foregoing Disclaimer.

DATED this 22nd day of June, 1999, at Cedar Rapids Iowa.

Phyllis J. Schlueter
PHYLLIS J. SCHLUETER

Subscribed and sworn to before me by PHYLLIS J. SCHLUETER, this 22nd day of June, 1999.

NOTARIAL SEAL IOWA DARREL A. [illegible]

NOTARY PUBLIC - STATE OF IOWA

LEGAL DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 88 NORTH, RANGE 6 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 31, TOWNSHIP 88 NORTH, RANGE 6 WEST OF THE FIFTH PRINCIPAL MERIDIAN; THENCE S90°00'00"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31, 759.58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S90°00'00"W ALONG SAID SOUTH LINE, 584.22 FEET; THENCE N0°10'15"W, 451.02 FEET; THENCE N90°00'00"E, 442.16 FEET; THENCE S0°10'15"E, 133.75 FEET; THENCE S24°15'50"E, 348.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5.10 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

EXHIBIT "A"

Viryl Schlueter Estate Inventory-Equipment

Equipment:

Date	Description	Estimate Auction Value	
8/28/98	Combine JD 9500 with heads	100000	heads not paid for yet, loan on
	915 platform bean head	10000	combine for $62500 •
	cornhead	23000	$19000 loan on heads
6/27/98	Mixer mill model 875	12000	
4/1/98	rocker picker	3000	
12/22/97	566 baler	23000	
	Baler & Stock Chopper JD 536		
4/10/97	6000 hiniker 12 row cultivator	15000	
11/1/96	1/2 Tractor JD 8300	45000	1/2 owned by Dave
6/1/96	Hay Mower Conditioner	14000	not included
12/1/96	Melrose Spray Coupe	6500	
8/12/95	Chopper JD 3970 with 2 heads	11500	
8/18/95	Ag Bagger	9500	
6/1/95	Forage Box	6700	
6/1/95	Forage Box	6700	
2/28/94	Model 310 HS Spreader	4500	
11/9/94	DMI Chisel Plow	3700	
7/23/93	Guidance	2700	
12/1/93	1/2 753 Bobcat	5200	1/2 owned by Dave
4/15/93	JD 525 Tr	2000	
5/1/93	Farm Trailer	7200	
4/5/93	Tractor JD 4640	19500	
10/9/92	Combine JD 7720 with Heads	19000	
5/9/90	Soil doctor	5600	
3/21/90	Cultivator-Hun	7700	
2/1/90	JD 7200 Planter	21000	
1/1/90	1988 Preproduc	0	
1/1/90	1987 Preproduc	0	
4/11/88	field cultivator	8150	
9/1/87	Grain Vac	8200	
10/1/86	M & W Wagon	3700	
2/26/85	Plastic Tank	1600	
1/1/85	plastic tank	1600	
4/24/84	Hay Conditioner	3600	
6/30/83	1983 Gooseneck Trailer	1500	
3/19/83	Tractor JD 8630	16500	

1/1/80	Power Washer	250	
1/1/80	Quick Coupler (3 pt hitch attachm	200	
1/1/80	Plow	4300	
1/1/79	Gas Barrel and pump	300	
1/1/79	Safe	300	
1/1/78	Man Spreader	100	salvage
1/1/78	Auger	150	
	Auger	200	
1/1/77	Disc	3100	
1/1/77	tractor & disc	13000	
	Tractor JD 4230		
1/1/77	chopper	2000	
1/1/76	1/2 tile machine	3000	1/2 owned by Mark not included
	Tractor JD 4010	6500	
	H & S Chopper Bobs?		
	Gravity Wagon	400	
	Milking Equipment & Tank	4000	
	Bunk Feeder		
	Air Compressor	300	
	Dual, Weight & Chains	500	
	Hydraulic Cylinders	200	
	Portable Generator	200	
	Small Hand Tools	500	
	Small Power Tools	500	
	Welders, Torches & Cyl	250	Torches-Dennis's
TOTALS		469100	
	Loan on Combine	-62500	
	Loan on Heads	-19000	
		387600	