DELAWARE COUNTY IOWA
FILED
2004 SEP 21 PM 2:50
BOOK 204 PAGE 3049
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
41.00

CITIZENS STATE BANK
1218 WEST MAIN STREET
MANCHESTER, IA. 52057

PREPARED BY: John D.Gnagy, 103 E. Bridge St, P.O.Box 306, Elkader, IA (563)245-1722

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF OHIO)
) ss.
COUNTY OF Summit)

The undersigned, Timothy Klaus, states that I am the son of Leland J. Klaus, who died on December 18, 2003. Leland J. Klaus was the owner of the following parcels of real estate:

Parcel One:

The Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) and the East ninety nine (99) rods of the North one-half (N ½) of the Southwest Quarter (SW 1/4); and a tract of land described as follows: beginning at the Northeast corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), thence West nineteen (19) rods twelve and one-half (12 ½) feet, thence South twenty-seven (27) rods, thence at right angles East to the center of the public highway, thence in a Northeasterly direction along the center of the highway to its intersection with the North line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), thence West to the place of beginning; all in Section Eight (8), Township Ninety (90) North, Range Three (3), West of the Fifth P.M., except Parcel "A" located in the SE 1/4 of Section 8 Twp. 90 North, Range 3 West of the 5th P.M., Delaware County, Iowa, according to the plat recorded in Book 6 Plats, Page 133; also Parcel B of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4), Section Eight (8), Township Ninety North (T90N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 89.

Parcel Two:

The South one-half (S ½) of the Southwest Quarter (SW 1/4) of Section Five (5), and the West one-half (W ½) of the Northwest Quarter (NW 1/4) of Section Eight (8), Township Ninety (90) North, Range Three (3), West of the Fifth P.M., except that part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section Eight (8) described as beginning at the Southeast corner of said Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), thence West along the center of the road four hundred fifty (450) feet, thence North five hundred sixty (560) feet, thence East four hundred fifty (450) feet, thence South five hundred sixty (560) feet to the point of beginning; also the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Ninety (90) North, Range Three (3), West of the Fifth P.M.; also Parcel D of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4), Section Eight (8), Township Ninety North (T90N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 89.

8004-3596

Parcel One was sold on contract to Kevin Gentz and Debra Gentz in a document filed February 28, 2002, in Book 2002, Page 741, of the Delaware County records. Parcel Two was sold to Kevin W. Gentz and Debra S. Gentz in two contracts filed January 29, 1998, in Book 139 T.L.D., Page 146, and February 5, 1990, in Book 125 L.D., Page 326, of the Delaware County records.

At the time of his death, Leland J. Klaus, was a resident of Missouri, and an estate has been opened for him. He died testate and attached hereto are certified copies of his Last Will and Testament and Letters of Appointment, naming me as the executor of the estate.

Pursuant to the terms of his will, I have the authority to convey his interest in the above described property as the executor of the estate.

Dated this 16 day of September, 2004.

Timothy Klaus

Sworn and subscribed before me this 16 day of September, 2004.

Notary Public

ARTHUR B. CRESSY
Notary Public, State of Ohio
Commission Expires Mar. 14 2004

FADED DOCUMENT AT TIME OF RECORDING

LAST WILL AND TESTAMENT OF LELAND J. KLAUS

I, Leland J. Klaus, a resident of RFD, Colesburg, Iowa, being of sound mind and memory, do declare this to be my Last Will and Testament, hereby revoking all prior wills and codicils made by me.

ITEM I. I direct my executor to pay from assets of my estate all of my just debts and the expenses of my last illness and burial.

ITEM II. I give, devise and bequeath to my wife, Carol J. Klaus, if she survives me, the use, possession and income for her lifetime of real estate situated in Delaware County, described as follows:

East one half ($E\frac{1}{2}$) of the Southeast quarter ($SE\frac{1}{4}$) of Section Eight (8), Township Ninety (90) North, Range Three (3), West of the Fifth P.M..

and

West one half ($W\frac{1}{2}$) of Southwest quarter ($SW\frac{1}{4}$), Northeast quarter ($NE\frac{1}{4}$) of Southwest quarter ($SW\frac{1}{4}$), and South one half ($S\frac{1}{2}$) of Southeast quarter ($SE\frac{1}{4}$) of Northwest quarter ($NW\frac{1}{4}$), of Section Nine (9), Township 90 North, Range Three (3), West of the Fifth P.M., subject to public roads and electric line easements and further except real estate deeded and of record in office of Delaware County, Iowa Recorder, in Book 87, Land Deeds, Page [illegible] and Book 89, Land Deeds, Page 35.

BARBARA [illegible] CLERK OF THE ASSOCIATE CIRCUIT COURT - DIVISION A PROBATE OZARK COUNTY, MO

It is my will that said life use devised to my wife, hereof, shall be subject to her payment of any remaining contract balance due [illegible] pursuant to contract recorded in Book 86, Land Deeds, Page 345, Recorder's Office, Delaware County, Iowa.

Subject to the life use given to my wife in said Item II hereof, I give, devise and bequeath the remainder interest in said real estate, in equal shares, to my four children, namely, Christe Ann [illegible] Klaus, Timothy J. Klaus, Alan A. Klaus and Brian R. Klaus.

ITEM III. All of the rest, residue and remainder of my estate, real and personal, I give, devise and bequeath to my wife, Carol J. Klaus, if she survives me, same to be hers absolutely and unconditionally.

ITEM IV. In the event my wife,-Carol J. Klaus, does not survive me, with the result that Items II and II above would be ineffective as to the provisions made for her therein, I then give, devise and bequeath the whole of my estate, real and personal, to my four children heretofore named, in equal shares.

ITEM V. I nominate and appoint my wife, Carol J. Klaus, as executor of this will and of my estate and exonerate her from giving any bond as such.

Dated and signed at Manchester, Iowa, this 5th day of ~~October~~ November, 1975.

Leland J. Klaus
Leland J. Klaus

WITNESSES:
JK Pettit
Sharon K Hilsenbeck

We hereby certify that on this 5th day of ~~October~~ November, 1975, at Manchester, Iowa, Leland J. Klaus, to us personally known, did in our presence sign the foregoing instrument and did declare to us that said instrument was his Last Will and Testament, and we, at his request and in his presence and in the presence of each other, did sign the same as witnesses thereto.

JK Pettit
of Manchester, Iowa
Sharon K. Hilsenbeck
of Manchester, Iowa.

FILED
MAY 05 2010
BARBARA STEVENS
ASSOCIATE CIRCUIT COURT - DIVISION II
OZARK COUNTY, MO

CERTIFICATE OF TRUE COPY

STATE OF MISSOURI,
County of Ozark } ss.

I, Barbara Stevens
Clerk of the Probate Division of the Circuit Court within and for said County, Missouri, hereby certify that I am the legal custodian of the books and records of the said Court of said County, Missouri, and I further certify that the foregoing attached and annexed typewritten copy is a full, true and correct copy of the Original LAST WILL AND TESTAMENT OF LELAND J. KLAUS, Estate No. CV404-18P
as the same is of record in Gainesville, Ozark County, Missouri, in my office,

WITNESS my hand and Seal of said Court. Done at office in Ozark County, Missouri, this 8th day of September 2004

Barbara Stevens
Clerk of the Probate Division.

CIRCUIT COURT OZARK COUNTY MISSOURI DIVISION II

Deputy Clerk

IN THE CIRCUIT COURT OF OZARK COUNTY, MISSOURI
PROBATE DIVISION

In The Estate of	)	
	)	
LELAND KLAUS,	)	Estate No. CV404-18P
	)	
Deceased.	)	

LETTERS TESTAMENTARY

THE STATE OF MISSOURI TO:

All persons to whom these presents shall come, greeting:

Know Ye that the Last Will and Testament of LELAND KLAUS, deceased, who resided in Gainesville, Missouri, died December 19, 2003, has been exhibited, proved and recorded; to the end that the property of the decedent may be collected and disposed of, we do hereby appoint Timothy Klaus, Personal Representative, with full power and authority as provided by law.

The Personal Representative, a non-resident of the state of Missouri, has designated J. Wesley Harden, who resides at 1240 East Independence, Suite 200, in Springfield, Missouri 65804, resident agent for service of process within the state of Missouri.

In Testimony Whereof, I, Clerk of the Probate Division of the Circuit Court of said County, have hereunto signed my name and affixed the seal of said Court at my office in Gainesville, Missouri on August 18, 2004.

{Seal}

Barbara Stevens
Clerk, Probate Division

CERTIFICATE OF TRUE COPY

STATE OF MISSOURI, County of Ozark } ss.

I, Barbara Stevens Clerk of the Probate Division of the Circuit Court within and for said County, Missouri, hereby certify that I am the legal custodian of the books and records of the said Court of said County, Missouri, and I further certify that the foregoing attached and annexed typewritten copy is a full, true and correct copy of the Original Letters Testamentary in the estate of Leland Klaus, #CV404-18P as the same is of record in Gainesville, Ozark County, Missouri, in my office,

WITNESS my hand and Seal of said Court. Done at office in Ozark County, Missouri, this 8th day of September 2004

Barbara Stevens
Clerk of the Probate Division.

Deputy Clerk