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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

STATEMENT OF ESCROW AGENT

THE IOWA STATE BAR ASSOCIATION
Official Form No. 163
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)
Daniel H. Swift, 108 North Madison Street, Manchester, IA 52057, Phone: (563) 927-4901

Taxpayer Information: (Name and complete address)

Return Document To: (Name and complete address)
Daniel H. Swift, Swift & Swift Attorneys, 108 N. Madison Street, PO Drawer D, Manchester, Iowa 52057

Grantors:
Delaware County Fish & Game Protective Associaton

Grantees:
City of Manchester and County of Delaware, State of Iowa

Legal description: See Page 2

Document or instrument number of previously recorded documents:

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STATEMENT OF ESCROW AGENT

The undersigned states that there was deposited with the undersigned, as escrow agent, within the 180 days last past, an instrument of conveyance concerning real estate situated in Delaware County, Iowa described as:

See attached attached Exhibit "A" and "B"

in which Delaware County Fish & Game Protective Association, aka Fish & Game Association, aka Delaware County Fish & Game Protective Association, Inc., aka Delaware County Fish & Game

~~in which~~ _____ of Delaware, is grantor and City of Manchester and County of Delaware, State of Iowa of Delaware, is grantee.

This statement is made and offered for recording in compliance with Section 558.44, Code of Iowa.

On this 9th day of March, 2005

THE GREATER CEDAR RAPIDS COMMUNITY FOUNDATION

By _____
Dan Baldwin, CEO — Escrow Agent

STATE OF IOWA
COUNTY OF LINN } ss.

On this 9th day of March, 2005, before me, a Notary Public, personally appeared Dan Baldwin, CEO, to me known to be the person(s) named in and who executed the foregoing instrument and acknowledged that ~~(she)~~ (he) ~~(they)~~ executed the same as ~~(her)~~ (his) ~~(their)~~ voluntary act and deed.

TAMARA S. DREXLER
Commission Number 194334
My Comm. Exp. 1/14/2007

_____
Notary Public in and for the State of Iowa

Tamara S. Drexler

STATE OF IOWA
COUNTY OF _____ } ss.

On this _____ day of _____, _____, before me, a Notary Public, in and for said county and state, personally appeared _____, to me personally known, who being by me duly (sworn) (affirmed) did say that (she) (he) (they) (is) (are) _____ of said (corporation) (association), that (the seal affixed to said instrument is the seal of said) (no seal has been procured by the said) (corporation) (association) and that said instrument was signed (and sealed) on behalf of the said (corporation) (association) by authority of its Board of (Directors) (Trustees) and the said _____ acknowledged the execution of said instrument to be the voluntary act and deed of said (corporation) (association) by it voluntarily executed.

_____
_____
Notary Public in and for the State of Iowa

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EXHIBIT "A"

That part of Lot Two, Block Five, and of vacated Sunset View roadway, shown on Plat of Sunset Beach recorded in Book 2, page 20, of Record of Plats in Office of Recorder of Delaware County, Iowa, described as follows: Commencing at the Southeast corner of the North East quarter of South East quarter of Section 18, Township 89 North, Range Five, West of the Fifth P.M., running thence North 79.17 feet, thence North 36° 10' East 277.06 feet to North line of said Lot Two, Block Five, thence East on North line of said Lot Two, Block Five, a distance of 818.78 feet to center of said Sunset View roadway, thence South on center of said roadway 370.84 feet, thence West 990 feet to East line of South East quarter of South East quarter of said Section 18, thence North 73.84 feet to place of beginning, subject to any reserved flowage rights and to easements to public utilities, of record

EXHIBIT "A"

EXHIBIT B

That part of Lot 1 (1) lying West of the former Manchester & Oneida Railway, Henry Acers Addition to Manchester, Iowa.

Burr Add W of Lot 1 of Lot 31A & 30 as described, Book 33 Page 20, Delaware County, Iowa, also known as all river frontage lying adjacent and west of lots 4 & 5 Subd Amended Plot of Lyman's Lakeview Court, Manchester

Lots Ten (10), Eleven (11), and Fifteen (15) of Railroad Addition to City of Manchester, and the land lying between the East line of said lots and the right-of-way of the former Manchester and Oneida Railway Company.

Lot Eight (8), Lot Nine (9), and Lot Four (4), (excepting that already owned by grantee) of Railroad Addition; all that portion lying West of the West line of the right-of-way of the former Manchester & Oneida Railway, of Lots One (1), Two (2), Three (3), Four (4), and the North Half (N 1/2) of Lot Five (5), of the North Half (N 1/2) of the Southeast Quarter (SE 1/4) and the SouthHalf (S 1/2) of the Northeast Quarter (NE 1/4) of Section Twenty-nine (29), Township Eight-nine (89) North, Range Five (5) West of the Fifth P.M., all in the City of Manchester.

Commencing at the North East corner of Lot Three (3) of the subdivision of the North East Quarter (NE 1/4) of the South West Quarter (SW 1/4) and the South Half (S 1/2) of the South East Quarter (SE 1/4) of the North West Quarter (NW 1/4) of Section Twenty-nine (29), Township Eighty-nine (89) North Range Five (5) West of the Fifth P.M. and running West along the North line of said Lot Three (3) a distance of Fifty-six (56) feet, thence South East to a point Thirty (30) feet South of the point of beginning, thence North Thirty (30) feet to point of beginning, containing 0.02 acres.

Commencing at the South East Corner of Lot Twenty (20) Henry Acers Addition to Manchester, Iowa, thence South 1.12 chains to the North line of Lot One (1) of said Addition, thence West 1.98 chains more or less to the North West Corner of said Lot One (1) thence South One (1) chain to the South line of said Addition, thence West 16 1/3 links more or less to the South East corner of Lot One Hundred Three (103) of said Addition, thence North 2.12 chains more or less to the Southwest corner of said Lot Twenty (20), thence East Two and fourteen hundreds (2.14) chains to the point of beginning.

Commencing at the Northwest corner of Lot Four (4), subdivision of the NE 1/4 SW 1/4 and S 1/2 SE 1/4 NW 1/4 of Section Twenty Nine (29), Twp. 89 North Range Five West, thence south sixty five (65) feet, thence East paralleling the North line of said Lot Four (4), one hundred ninety (190) feet, thence in a northeasterly direction to the North east corner of said Lot Four (4), one hundred and fifty five (155) feet thence west along the North line of said Lot Four (4) to the point of beginning, containing .36 acres. Subject to the flowage rights granted under the deed from E.M. Carr and wife to the Iowa Electric Company dated February 20, 1925 and recorded in Book 9, Page 126, Town Lot Deeds Records of Delaware County, Iowa.

A tract of land located in the Northwest 1/4 of the Northeast 1/4 of Southwest 1/4, Section 29, & in the Southwest 1/4 of Northeast 1/4 of Southwest 1/4, Section 29, & in the Northeast 1/4 of Northwest 1/4 of Southwest 1/4, Section 29, & in the Southeast 1/4 of Northwest 1/4 of Southwest 1/4, Section 29, each in Township 89 North, Range Five West of the 5th P.M. located in Manchester, Iowa, described as follows: Commencing at the Southeast Corner of Lot 5 in Railroad Addition to Manchester, Iowa, thence South 140 feet along a north-south-1/4-1/4-1/4 section line to the point of beginning of the tract of land being described, thence West 510 feet, thence South 32 ° 00' West 427 feet, thence South 79° 00' West, 417 feet, thence North 53° 00' West, 235 +/- feet to a north-south 1/4-1/4-1/4 section line, being a point on said 1/4-1/4-/14 section line 436 +/- feet south of the East-West 1/4 section line thru the center of said Section 29, and 1320 feet west of the north-south 1/4-1/4-1/4 Section line passing thru the east line of Lot 5 in said Railroad Addition, which establishes the southerly line of a waterway and channel which channel lies northerly of said southerly line and which channel has a width of 200 feet and 200 feet+ in places, thence South 100 +/- feet to the northerly shore line of the Maquoketa River, thence South 51° 30' East, 169 feet, thence South 36° 00' East, 183 feet, thence South 18° 00' East, 58 feet, thence South 39° 30' East 219 feet, thence South 55° 30' East, 176 feet, thence South 80° 00' East, 120 +/- feet to the north-south 1/4-1/4 section line lying between the Northwest One-Quarter of Southwest 1/4, & Northeast 1/4 of Southwest 1/4, which line is the west line of Lot 20 in Railroad Addition to Manchester, Iowa, thence South 73 feet on said line, thence North 67° 30' East, 365 +/- feet along the southerly line of said Lot 20 in Railroad Addition to its easterly terminus and to the westerly line of Lot 19 in said Railroad Addition, thence South 47° 00' East, 348 +/- feet to south line of said Lot 19, thence East 72.6 feet along the south line of said Lot 19 to east line of said Lot 19, thence North along the east line of said Lot 19 , Lot 14, Lot 12 & part of Lot 7 a distance of 1180 +/- feet to point of beginning, and containing 21.362 acres, more or less, subject to covenants and agreements hereto attached.

All that part of the unnamed public street lying directly south and below Lot Twenty (20) Henry Acer's Addition to the City of Manchester, Iowa

Commencing at the SW Corner of Lot Twenty (20) Henry Acers Add to Manchester and running thence East 38 feet thence North paralleling the West Line of said Lot Twenty (20) seventy-nine (79) feet, thence West thirty-eight (38) feet to a point seventy-four (74) feet North of the point of beginning, thence South seventy-four feet to point of beginning.

Also commencing at the SE corner of Lot one hundred and three (103) Henry Acers Add to Manchester and running West on South line of said Lot one hundred three (103), three hundred and fifty-six (356) ft., thence North 2° East forty-four (44) feet, thence North 27° 03' East one hundred and eleven (111) Ft., thence North 63° 48' East one hundred and twelve (112) Ft., thence North 84° 22' East two hundred and five (205) Ft. to the East line of said Lot one hundred and three (103) thence South two hundred and eighteen (218) ft to the point of beginning.

Together with an easement and right of access at all times to said above described tracts of land from the lot line abutting the street directly North of said Lot one hundred and three (103) for purposes of driving to and from said above described tracts.