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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

DISCLAIMER

ENV.

PREPARED BY AND RETURN TO:
Paul P. Morf
Simmons Perrine Moyer Bergman PLC
115 3rd Street SE, Suite 1200
Cedar Rapids, IA 52401
(319) 366-7641

RE: PROBATE NO. ESPRO05393, ESTATE OF LORETTA M. MCENANY

LEGAL: NW ¼OF THE SW ¼ AMD S ½ NW ¼, SECTION 32-87-6

IN THE IOWA DISTRICT COURT DELAWARE COUNTY

11 DEC -8 AM 10: 08
CLERK OF DISTRICT COURT
DELAWARE COUNTY, IOWA

IN THE MATTER OF	)	**Probate No. ESPRO05393**
	)	
THE ESTATE OF	)	**DISCLAIMER**
	)	
LORETTA M. McENANY	)	

The undersigned, Barbara E. Feldmann and U.S. Bank, N.A., acting in their capacity as Administrators of the Estate of William E. McEnany (and not acting individually), pursuant to Iowa Code Chapter 633E and IRC § 2518, irrevocably and completely disclaim, and irrevocably and unqualifiedly refuse to accept all property passing to William E. McEnany (or to his estate) from the estate of his mother, Loretta M. McEnany, or passing to him by reason of his mother's death via joint tenancy arrangement, beneficiary designation, transfer-on-death or pay-on death (TOD/POD) designation, revocable trust, intestacy, or otherwise, including without limitation all of the following bequests to William E. McEnany pursuant to the Last Will and Testament of Loretta M. McEnany:

1. Any and all right, title and interest in and to the real estate bequeathed to me under Paragraph 1 of the "Third" division of Loretta M. McEnany's Last Will and Testament, the legal description of which is recited in such Will as follows: The North west One-Quarter (NW 1/4) of the Southwest One Quarter (SW 1/4): and the South One-Half (S ½) of the Northwest One Quarter (NW ¼) of Section Thirty Two (32), Township Eighty Seven (87), North, Range Six (6), West of the 5th P.M., Delaware County, Iowa.

(including, but not limited to, the undersigned's right to the income derived from such property and the undersigned's right to such property itself).

2. Any and all right, title and interest in and to any share of the balance, residue and remainder of my estate, both real and personal and of every kind and nature, (including, but not limited to, the undersigned's right to the income derived from such property and the undersigned's right to such property itself) passing under Paragraph 2 of the "Third" division of Loretta M. McEnany's Last Will and Testament.

NOTWITHSTANDING THE ABOVE, THIS DISCLAIMER EXPRESSLY EXCLUDES ANY LIFE INSURANCE DEATH BENEFIT OR ANNUITY DEATH BENEFIT RECEIVED BY WILLIAM E. MCENANY AND DEPOSITED BY HIM INTO HIS ACCOUNTS PRIOR TO HIS DEATH.

The undersigned co-administrators further state that there has been no acceptance of any interest in the above described item or any of its benefits prior to the execution of this Disclaimer (either by William E. McEnany or by his co-administrators or his Estate), and that no fiduciary duty or statutory duty is violated by this disclaimer. All earnings and accumulations on the disclaimed property shall inure to the benefit of the Loretta M. McEnany Estate pursuant to the disclaimer.

The undersigned specifically disclaims any rights that William E. McEnany or his estate would have to receive the disclaimed property via intestacy or otherwise.

A copy of this Disclaimer has been delivered to the Executor of the Estate of Loretta M. McEnany by the undersigned this 30th day of November, 2011, and a copy is being filed contemporaneously with the Clerk of the District Court for Delaware County in the Estate proceedings of Loretta M. McEnany.

Dated this 30th day of November, 2011, at Cedar Rapids, Iowa.

Barbara E. Feldmann

Barbara E. Feldmann

As Co-Administrator of the Estate of
William E. McEnany (and NOT individually)

U.S. Bank, N.A.

By _____
Philip A. Hershner, Vice President

As Co-Administrator of the Estate of
William E. McEnany

STATE OF IOWA)
) ss:
COUNTY OF LINN)

On this 30th day of November, 2011, before me, the undersigned, personally appeared Barbara E. Feldmann., 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

STATE OF IOWA)
) ss:
COUNTY OF LINN)

PAUL R MORP
Commission Number 198293
My Commission Expires
September 9, 2013

On this 30th day of November, 2011, before me, the undersigned, personally appeared Philip A. Hershner, Vice President for U.S. Bank, N.A., to me known to be the person named in and who executed the foregoing instrument and acknowledge that he executed the same as his voluntary act and deed.

PAUL R MORP
Commission Number 198293
My Commission Expires
September 9, 2013

_____
Notary Public, State of Iowa

RECEIPT

STATE OF IOWA)
) ss:
COUNTY OF LINN)

The undersigned, being duly sworn, states that I am Executor of the Loretta M. McEnany Estate and that on the date and place as hereinafter set forth, I received the foregoing Disclaimer.

DATED this 5th day of December, 2011, at Cedar Rapids, Iowa.

Maxine M. McEnany

Maxine M. McEnany

Subscribed and sworn to before me by Maxine M. McEnany, this 5th day of December, 2011.

Notary Public, State of Iowa

NOTARIAL SEAL IOWA
SUSAN K JAHNKE
COMMISSION # 115799
MY COMMISSION EXPIRES
5/8/13