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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

23-88-5

# BILL OF SALE

**THE IOWA STATE BAR ASSOCIATION**
**Official Form No. 117**
**Recorder's Cover Sheet**

**Preparer Information:** (Name, address and phone number)
Tim A. Estlund, Attorney
100 1st Ave. NE, Suite 105
Cedar Rapids, IA 52401
(319) 364-2120

**Taxpayer Information:** (Name and complete address)

XXX **CLEARY, LLC**
**26089 223rd AVENUE**
**DELHI, IA 52223**

**Return Document To:** (Name and complete address)
Midland Escrow Services
100 1st Ave. NE
Cedar Rapids, IA 52401

| **Grantors:** | **Grantees:** |
|---|---|
| Nancy Tjaden | Cleary, LLC |

**Legal description:** See Page X **#3**

**Document or instrument number of previously recorded documents:**

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THE IOWA STATE BAR ASSOCIATION
Official Form No. 117

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

# BILL OF SALE

For the consideration of One ($1.00) Dollar(s) and other valuable consideration, Nancy Tjaden ("Seller") does hereby sell, transfer and assign to Cleary, LLC ("Buyer") the following described personal property located in Delaware County, State of Iowa:

(see attached)

Seller hereby covenants with Buyer that Seller is the owner of said personal property, that Seller has good and lawful authority to sell, transfer, and assign the same and that the same is free and clear of all liens, security interests and encumbrances except as may be above stated; and Seller covenants to warrant and defend said personal property against the lawful claims of all persons except as may be above stated.

SELLER HEREBY SELLS, TRANSFERS AND ASSIGNS SAID PERSONAL PROPERTY IN "AS IS" CONDITION. ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE IN REGARD TO SAID PERSONAL PROPERTY ARE HEREBY EXCLUDED. THERE ARE NO WARRANTIES OF FITNESS WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE HEREOF.

CERTIFICATION. Buyers and Sellers each certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as the appropriate gender, according to the content.

Dated: July 31, 2012

Nancy Tjaden
Nancy Tjaden (Seller)

Darlene A. Cleary - Manager
Cleary, LLC (Buyer)

STATE OF IOWA COUNTY OF LINN

This instrument was acknowledged before me on July 31, 2012, by, Nancy Tjaden and Darlene A. Cleary, manager, Cleary, LLC,

NOTARIAL SEAL IOWA
DORIS E. RUSSELL
Commission Number 119763
My Commission Expires
8/26/15

Doris E. Russell
, Notary Public

STATE OF _____, COUNTY OF _____

This instrument was acknowledged before me on _____,
by _____
as _____
of _____.

_____, Notary Public

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LEGAL DESCRIPTION:
Building on leased land (housing the Pizza Place Restaurant business) located on Lot One Hundred Seventeen (117) and a portion of Hollywood Ave. of Clair-View Acres in Delhi, Iowa, in Sections Twenty Three (23) and Twenty Six (26) in Milo Township, Delaware County, Iowa, according to Plat recorded in Book 2, Plats, Page 200 and also described as Parcel L part of Lot One Hundred Seventeen (117) and part of Hollywood Ave. of Clair-View Acres in Sections Twenty Three (23) and Twenty Six (26), Township Eighty Eight (88) North, Range Five (5), West of the 5th P.M., Delaware County, Iowa, locally known as 26166 208th Ave., Delhi, Iowa, Parcel No. 0002S0230712409

PROPERTY ADDRESS:
26166 208th Ave., Delhi, Iowa 52223