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Date 8/27/2012 Time 2:07:01PM
Rec Amt $22.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

NOTICE TO PREVENT ACQUISITION

Recorder's Cover Sheet

Preparer Information:
Daniel H. Swift, Swift Law Firm, 108 N. Madison Street, PO Box 207, Manchester, Iowa 52057
563-927-4901

Taxpayer Information:
N/A

Return Address
Daniel H. Swift, Swift Law Firm, 108 N. Madison Street, PO Box 207, Manchester, Iowa 52057

Grantors: Hutchison, Incorporated

Grantees: Kurt A. Bessey

Legal Description: See Page 2

Document or instrument number if applicable:

RECEIVED
SHERIFF'S OFFICE
DELAWARE COUNTY, IA
DATE 8-21-12 TIME 11:21 Am

NOTICE TO PREVENT ACQUISITION

To: Kurt A. Bessey
209 Stiles Street
Manchester, Iowa 52057

YOU ARE HEREBY NOTIFIED by Hutchison, Incorporated, pursuant to Sections 564.4, 564.5 and 564.6 of the Iowa Code, that Hutchison, Incorporated owns the following described real estate located in Manchester, Delaware County, Iowa, to-wit:

The East 50 feet of the North 160 feet of Lot Nine (9) of Subdivision of Lot One (1) of Subdivision of Southwest Quarter (SW ¼) and South Half (S ½) of Northwest Quarter (NW ¼) of Section Twenty-eight (28), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M., and

Lot Three (3) and Lot Ten (10) of Subdivision of Lot One (1) of Subdivision of Southwest Quarter (SW ¼) and South Half (S ½) of Northwest Quarter (NW ¼) of Section Twenty-eight (28), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M., and

North 66 feet of Lot Eight (8) except West 33 feet thereof, North 66 feet of West 82 Feet of Lot Nine (9) of Subdivision of Lot One (1) of Subdivision of the Southwest Quarter (SW ¼) and South Half (S ½) of Northwest Quarter (NW ¼) of Section Twenty-eight (28), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M., and

The East 50 feet of the South 137 feet of Lot Nine (9) of Subdivision of Lot One (1) of Subdivision of Southwest Quarter (SW ¼) and South Half (S ½) of Northwest Quarter (NW ¼) of Section Twenty-eight (28), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M., and

The East One Hundred Eleven (111) feet of Lot Eleven (11); the North Fifty (50) feet of the West Twenty-one (21) feet of Lot Eleven (11); the East Ninety-nine (99) feet of the North Fifty (50) feet of Lot Twelve (12); all of the Subdivision of Lot One (1) of the Subdivision of the Southwest Quarter (SW ¼) and of the South Half (S ½) of the Northwest Quarter (NW ¼) of Section Twenty-eight (28), Township Eighty-nine (89) North, Range Five (5), West of the 5th P.M., in Delaware County, Iowa, subject to highways and easements of record

Hutchison, Incorporated is further informed and credibly believes, that you may claim ownership and some type of right, title and interest in and to the following described real estate, to-wit:

> The Twelve (12) feet immediately South of and adjacent to that part of Lots Eleven (11), and Twelve (12) of Subdivision of Lot One (1) of Subdivision of Southwest Quarter and South Half of Northwest Quarter of Section Twenty-eight (28), Township Eighty-nine (89) North, Range Five (5), West of the Fifth P.M., described as commencing at a point Thirty-three (33) feet East of the Southwest corner of said Lot Twelve (12), thence North Sixty-seven (67) feet, thence East One Hundred Twenty (120) feet, thence South Sixty-seven (67) feet, thence West One Hundred Twenty (120) feet to the point of beginning

Hutchison, Incorporated is further informed and credibly believes that you claim some type of easement and/or access right over and across the twelve (12) feet immediately South of real estate owned by you for purposes of ingress and egress on behalf of you, your agents, heirs and assigns.

You are further notified that said real estate has been used by you and your predecessors in title, with the permission and consent of Hutchison, Incorporated, and its predecessors in title.

You are further notified, Hutchison, Incorporated, as owner of the property described herein, hereby gives you notice in writing, that any claim or use of this real estate, any claimed privilege or easement claimed by you, is disputed and you are acquiring no rights which arise from your claim or use. Your claim or use has been with permission and consent of Hutchison, Incorporated.

Hutchison, Incorporated, disputes any right which you may claim which would arise from such claim or use of its property as a result of the matters referred to herein and provides this Notice as an interruption of such use, and to prevent the acquiring of any rights thereto by your continued use thereof. Any claim you may have to said real estate is disputed, and you are acquiring no rights which arise from your claim or use.

HUTCHISON, INCORPORATED

BY _____
George G. Hutchison, III, President

STATE OF COLORADO, COUNTY OF ADAMS, ss:

On this 17th day of August, 2012, before me, the undersigned, a Notary Public in and for the State of Colorado, personally appeared George G. Hutchison, III, to me personally known, who being by me duly sworn, did say that he is the President of Hutchison, Incorporation, the corporation executing the within and foregoing instrument; that ~~(no seal has been procured by the~~) (the seal affixed hereto is the seal of the) corporation; that the instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and that George G. Hutchison, III, as such officer, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

_____
Notary Public in and for the State of Colorado

NOTARY PUBLIC MELANIE C HOUGLAND STATE OF COLORADO

My Commission Expires
July 12, 2015

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

HUCTHINSON, INCORPORATED
VS
KURT A. BESSEY

Case Number: **BESSEY**
Civil Number: **12-004757**
Date Received: **08/21/2012 @ 11:21**
Date Printed: 08/22/2012 @ 11:22

STATE OF IOWA
DELAWARE COUNTY }

I hereby certify that I served a copy of:

NOTICE FROM THE COURT

To: BESSEY,KURT at 209 STILES ST, MANCHESTER, IA

on **08/22/2012 @ 09:20** Type of Service: **PERSONAL**

Remarks:

Fees:

Service Fees:	15.00
Mileage:	3.00
Copies:	0.00
Other Fees:	0.00
Total:	18.00

Paid By:
Date:
Check #:

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: 28-2

ERIC BROOKS 0CEDB