Book 2014 Page 2121
Document 2014 2121 Type 06 010 Pages 4
Date 8/28/2014 Time 10:33:00AM
Rec Amt $29.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Correcting Legal Description

CORRECTIVE
INDIVIDUAL TRUSTEE'S AFFIDAVIT AND PURCHASER'S AFFIDAVIT

THE IOWA STATE BAR ASSOCIATION
Official Form No. 113
Recorder's Cover Sheet

Preparer Information: (name, address and phone number)
Brian J. Kane, 2100 Asbury Rd, Ste 2, Dubuque, IA 52001, Phone: (563) 582-7980

Taxpayer Information: (name and complete address)
Bernice E. Lueken Family Trust, 3075 Highway 3, Colesburg, IA 52035

Return Document To: (name and complete address)
Brian J. Kane, 2100 Asbury Rd, Ste 2, Dubuque, IA 52001, Phone: (563) 582-7980

Grantors:
Arnold H. Lueken Declaration of Trust
Brian J. Kane

Grantees:
Bernice E. Lueken Family Trust

Legal Description: See Page 4

Document or instrument number of previously recorded documents: Book 2014 Page 1717

Book 2014 Page 1717
Document 2014 1717 Type 06 010 Pages 3
Date 7/16/2014 Time 12:40:14PM
Rec Amt $24.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

INDIVIDUAL TRUSTEE'S AFFIDAVIT AND PURCHASER'S AFFIDAVIT

THE IOWA STATE BAR ASSOCIATION
Official Form No. 113
Recorder's Cover Sheet

Preparer Information: (name, address and phone number)
Brian J. Kane, 2100 Asbury Rd, Ste 2, Dubuque, IA 52001, Phone: (563) 582-7980

Taxpayer Information: (name and complete address)
Arnold H. Lueken Declaration of Trust, 3066 Highway 3 South, Colesburg, IA 52035

ENJ
Return Document To: (name and complete address)
Brian J. Kane, 2100 Asbury Rd, Ste 2, Dubuque, IA 52001, Phone: (563) 582-7980

Grantors:
Arnold H. Lueken Declaration of Trust
Brian J. Kane

Grantees:
Bernice E. Lueken Family Trust

Legal Description: See Page X-3

Document or instrument number of previously recorded documents:

INDIVIDUAL TRUSTEE'S AFFIDAVIT
AND PURCHASER'S AFFIDAVIT

RE: See Exhibit A attached hereto and by this reference made a part hereof

STATE OF IOWA, COUNTY OF DUBUQUE, ss:

I, Brian J. Kane, Attorney at Law, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. Arnold H. Lueken is the trustee under the Arnold H. Lueken Declaration of Trust dated April 14, 2000, to which the above-described real estate was conveyed to the trustee by Arnold H. Lueken and Bernice E. Lueken, pursuant to an instrument recorded the 6th day of June, 2000, in the office of the Delaware County Recorder in Book 2000, Page 1731 and Book 2000, Page 1735.

2. Arnold H. Lueken is the presently existing trustee under the Trust and is authorized to transfer and convey the above described real estate without any limitation or qualification whatsoever.

3. The Trust is in existence and Arnold H. Lueken, as trustee, is authorized to transfer the interest in the real estate as described in paragraph 2, free and clear of any adverse claims.

4. The grantor of the trust is alive.

5. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.

6. Further, Steven Lueken is trustee of the Bernice E. Lueken Family Trust, purchaser of the real estate described above. The purchaser has relied upon this Affidavit. The purchaser has no notice or knowledge of any adverse claims arising out of the execution and recording of the deed from the trustee. This Affidavit is given to establish reliance on the Affidavit referred to above for all purposes contemplated under Iowa Code Section 614.14.

Brian J. Kane, Affiant

Signed and sworn to (or affirmed) before me this 9th day of July, 2014, by Brian J. Kane.

SHEILA K. PITTS
COMMISSION NO. 208230
MY COMMISSION EXPIRES
5-8-16

Notary Public

Grantor: Arnold H. Lueken Declaration of Trust
Grantee: Bernice E. Lueken Family Trust

LEGAL DESCRIPTION:
The Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of Section Nine (9), except a strip twenty (20) feet wide across the North side thereof extending from the public highway to the East line of said tract, reserved as a public highway to the cemetery in said Section, subject to an easement to the State of Iowa for highway purposes, as recorded in Book 63, at Page 381; And the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Fifteen (15); And the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Sixteen (16), except all that part of said Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) lying South and West of Iowa Primary Road No. 3; And a piece of land commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of said Section Sixteen (16), thence South on and along the line to the center of the highway known as the Dubuque and Colesburg Road, thence in a Northwesterly direction on and along the centerline of the highway as now fenced out until it crosses the North line of said described forty acre tract, thence East on and along the line to the place of beginning, all being in Township Ninety North (T90N), Range Three West (R3W) of the 5th P.M.; subject to an easement for public highway to the State of Iowa, as recorded in Book 63, Page 380, and recorded in Book 70, Page 448; and subject to easement to the Maquoketa Valley Rural Electric Cooperative as recorded in Book 1, Page 284, of the County Recorder's records.

LEGAL DESCRIPTION:
The Northeast quarter of the Southwest Quarter and the West half of the Southwest quarter of Section 10 and the East half of the Southeast Quarter of Section 9, except the following-described property: Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 9, Township 90 North, Range 3, West of the 5th P.M. thence South seventeen rods, thence West eighteen rods, thence North seventeen rods; thence East eighteen rods to the place of beginning: (being two acres used as cemetery) also except a strip of land twenty feet wide commencing at the Northwest corner of said cemetery land and running West to the public road. said strip being bounded on North by North line of said Northeast Quarter of the Southeast Quarter; also excepting all that part of the SE 1/4 of the SE 1/4 of Section 9 lying South and West of Iowa Primary Road No. 3, all being in Township 90 North, Range 3, West of 5th P.M., Delaware County, Iowa, subject to roadways and easements of record.

~~Excluding all of the foregoing real estate lying easterly of Highway 3.~~