Book 2017 Page 1378

Document 2017 1378 Type 05 002 Pages 3
Date 5/17/2017 Time 1:09:38PM
Rec Amt $17.00 Aud Amt $10.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 17th day
of May AD 2017
Carla V. Becker Auditor
By S. Hildebrand Deputy

COVER PAGE CONTRACT SELLER'S ASSIGNMENT

Preparer Information:
Gregory J. Epping, 3600 First Avenue NE, Suite 101, Cedar Rapids, IA 52402
Phone: (319) 364-2467

Taxpayer Information:
Michael D. Freeze, PO Box 4, Hopkinton, IA 52237-0004

Return Document To:
Gregory J. Epping, 3600 First Avenue NE, Suite 101, Cedar Rapids, IA 52402

Assignor:
Estate of Robert D. Herington by: Delores R. Herington and Steven Herington, co-Executors

Assignees:
Delores R. Herington and Steven Herington

Legal description:

Part of section Two (2), Township Eighty-seven North (T87N), Range Four West (R4W) and part of section Thirty-five (35), Township Eighty-eight North (T88N), Range Four West (R4W) of the 5th P.M., Delaware County, Iowa and as more fully described in Exhibit "A" attached to the Assignment

Prior recorded documents:

Real Estate Contract – Installments recorded in Book 2002, Page 1848; assigned in Book [redacted], Page [redacted], Delaware County Recorder

COURT OFFICER ASSIGNMENT OF

SELLER'S INTEREST IN REAL ESTATE CONTRACT

IN THE MATTER OF
THE ESTATE OF
ROBERT D. HERINGTON
now pending in the Iowa District Court
in and for Linn County

Probate No. ESPR 038205

Pursuant to the authority and power vested in the undersigned, and in consideration of One Dollar(s) and other valuable consideration, the undersigned, in the representative capacity designated below, hereby transfer and assign to Delores R. Herington and Steven Herington to hold as Joint Tenants with full rights of survivorship and not as tenants in common, the vender's (seller's) interest in and to the Real Estate Contract – Installments dated April 1, 2002 and filed of record in Book 2002, Page 1848, as assigned in Book 2003, Page 1272, Delaware County Recorder.

2002 1849 gr

No Declaration of Value or Revenue Stamps required because this is an assignment of an executory contract for the sale of land under which the vendee has taken possession (Iowa Code Section 428A.2(1)) and is a distribution of assets to devisees under a Will (Iowa Code Section 428A.2(20))

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Dated: January 12, 2017

Delores R. Herington, co-Executor

Steven Herington, co-Executor

STATE OF IOWA, COUNTY OF LINN, ss:

On this 12 day of January, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared Delores R. Herington and Steven Herington to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that such persons, as such fiduciaries, executed the same as the voluntary act and deed of such persons and of such fiduciaries.

GREGORY J. EPPING
Commission Number 144839
My Commission Expires
October 1, 2017

Notary Public in and for said State

EXHIBIT "A"

The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) Except the Railroad right-of-way running across said 40 acre tract, the North One-half (N ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼), that part of the North One-half (N ½) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) lying East of the Railroad right-of-way, and that part of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) lying East of the Railroad Right-of-way, except Parcel A, part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) per plat recorded in Book 2002, Page 1527, and also except Parcel B, being part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), per plat recorded in Book 2002, Page 1528, all being in Section 2, Township Eighty-seven North (T87N), Range Four West (R4W) of the 5th P.M., Delaware County, Iowa, subject to roadways and easements of record; AND

The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) Except the Railroad right-of-way running across said tract; and Parcel I, being part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼), per plat recorded in Book 2002, Page 1529, all being in Section Thirty-five (35), Township Eighty-eight North (T88N), Range Four West (R4W) of the 5th P.M., Delaware County, Iowa, subject to roadways and easements of record.

Mem