Book 2018 Page 723

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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 27th day
of March AD 2018
Cedar Becker, Auditor
By P. Hildebrand, Deputy

Prepared by / Return to: Gary J. Streit, Shuttleworth & Ingersoll, P.L.C., P.O. Box 2107, Cedar Rapids, Iowa 52406; Phone: (319) 365-9461

Address Tax Statement to: Gary J. Lynch, 17799 185th Street, Manchester, Iowa 52057

TRUSTEE WARRANTY DEED

For the consideration of one dollar ($1.00) and other valuable consideration, Gary J. Lynch and Linda Lawson, as Trustees of the Velma C. Lynch Residuary Trust, hereby convey all of their interest to Gary J. Lynch and Mary J. Lynch a/k/a Mary Jane Lynch, husband and wife, as joint tenants with full rights of survivorship, and not as tenants in common, all of the Grantor's right, title, interest, estate, claim and demand in the following described real estate in Delaware County, Iowa

See Attached Exhibit "A" on Pages 3 through 5

Subject to covenants, easements, and restrictions of record.

This Deed is given in full satisfaction of a Real Estate Contract between Velma C. Lynch, and Gary J. Lynch, recorded with the Delaware County Recorder on February 10, 2009, in Book 2009, Page 534, and therefore is exempt from declaration of value and groundwater hazard statement requirements pursuant to Iowa Code Section 428A.2(1).

This Deed is given in full satisfaction of a Real Estate Contract between Velma C. Lynch, and Gary J. Lynch, recorded with the Delaware County Recorder on December 6, 2010, in Book 2010, Page 3915, and therefore is exempt from declaration of value and groundwater hazard statement requirements pursuant to Iowa Code Section 428A.2(1).

The grantor does hereby covenant with grantee, and successors in interest, that grantor holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantor covenants to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

The grantor further warrants to the grantee all of the following: That the trust pursuant to which the transfer is made is duly executed and in existence; that to the knowledge of the grantor, the persons creating the trust were under no disability or infirmity at the time the trust was created; that the transfer by the trustees to the grantee is effective and rightful; and that the trustees know of no facts or legal claims which might impair the validity of the trust or the validity of the transfer. Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

(Signatures on Page 2)

STATE OF IOWA

ss:

DELAWARE COUNTY

This instrument was acknowledged before me this 15 day of March, 2018, by Gary J. Lynch, as Trustee of the Velma C. Lynch Residuary Trust.

Chloe R. Baldwin
Notary Public

CHLOE RENEE BALDWIN
Commission Number 796122
My Commission Expires
05/11/2019

Dated: 3/15, 2018

VELMA C. LYNCH RESIDUARY TRUST

Gary J. Lynch, Trustee of the Velma C. Lynch Residuary Trust

STATE OF IOWA

ss:

DELAWARE COUNTY

This instrument was acknowledged before me this 15 day of March, 2018, by Linda Lawson, as Trustee of the Velma C. Lynch Residuary Trust.

Chloe R. Baldwin
Notary Public

CHLOE RENEE BALDWIN
Commission Number 796122
My Commission Expires
05/11/2019

Dated: 3-15-18, 2018

VELMA C. LYNCH RESIDUARY TRUST

Linda Lawson, Trustee of the Velma C. Lynch Residuary Trust

EXHIBIT A

That part of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Sixteen (16) lying East of the center of the public road; and that part of the South one-half (S½) of the Southwest Quarter (SW¼) of said Section Sixteen (16) lying East of the Center of the public road and West of the right-of-way of the former Manchester and Oneida Railway Company; and that part of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Seventeen (17) lying East of the center of the public road, except the right of way of the former Manchester and Oneida Railway Company, all in Township Eighty-Nine (89) North, Range Five (5) West of the Fifth Principal Meridian; except Lynch's Subdivision of part of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of said Section Sixteen (16), according to plat recorded in Book 4 Plats, Page 9; and except Lynch's Second Subdivision part of the SW¼ of Section 16 and part of the SE¼ of Section 17 according to plat recorded in Book 2001 Page 1729, all in T89N, R5W of the Fifth P.M. Delaware County, Iowa;

and further excepting that part of said Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 16, T89N, R5W of the Fifth P.M., described as commencing at the Southwest corner of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼),and running thence North on the West line of the Southwest Quarter (SW¼) two hundred eleven and eight-tenths (211.8) feet to the centerline of County Road D-13, thence North 30° 56' East two hundred thirty-eight and two-tenths (238.2) feet to the point of beginning, thence South 59° 04' East one hundred ninety (190) feet, thence North 30° 56' East one hundred (100) feet, thence North 59° 04' West one hundred ninety (190) feet, thence South 30° 56' West one hundred (100) feet to the point of beginning; subject to easements and highways of record;

AND

The NW¼ of the SW¼, and all that part of the S½ of the SW¼ lying West of the Manchester and Oneida Railway right-of-way; excepting that part of the NW¼ of the SW¼ lying East of the center of the public road, and also excepting that part of the S½ of the SW¼ lying East of the center of the public road and West of the right-of-way of the former Manchester and Oneida Railway Company and further excepting that part of the NW¼ of the SW¼ described as commencing at the Northeast corner of the NW¼ of the SW¼ of said Section 16, thence West 767.6 feet along the North line of the NW¼ of said SW¼ to the point of beginning, thence continuing West 219.2 feet, thence South 59° 56' East 189.6 feet to the Westerly right-of-way line of County Road D-13, thence North 30° 56' East along said line 109.8 feet to the point of beginning, all in Section 16, Township 89 North, Range 5 West of the Fifth Principal Meridian, subject to highways and easements of record.

AND

Lots 2 and 15 of Lynch's Subdivision of Part of the NW¼ of the SW¼ of Section 16, T89N, R5W of the Fifth P.M., Delaware County, Iowa as Recorded in Book 4 Page 9.

AND

Lots 1, 2, 3, 5, 6, 7 and 8 of Lynch's Second Subdivision of Part of the SW¼ of Section 16 and Part of the SE¼ of Section 17 all in T89N, R5W of the Fifth P.M., Delaware County, Iowa as recorded in Book 2001 Page 1729.

AND

The NE¼ of the SE¼ of Section 17, Township 89 North, Range 5 West, except that part described as commencing at a point 150 feet West of the Southeast corner of said NE¼ of the SE¼ in the center of the public highway and running thence Northeasterly along the center of said public highway 250 feet, thence West 200 feet, thence Southwesterly and parallel with the center of said public highway 250 feet, thence East 200 feet to the point of beginning; and the E½ of the NW¼ of the SE¼; and all that part of the SE¼ of the SE¼ lying West of the center of the public road except the lots of Steely's Home Site Subdivision and Frontage Road and Access Road as shown on plat recorded in Book 2 Plats, Page 76;

and further excepting that part described as commencing in the center of the public road 844 feet West of the Southeast corner of said SE¼ of the SE¼, and running thence West 200 feet, thence Northeasterly and parallel with the center line of said highway a distance of 150 feet, thence East 200 feet to the center of said highway, thence Southwesterly along the center of said highway to place of beginning; and further excepting that tract described as commencing at a point 150 feet West of the Northeast corner of said SE¼ of the SE¼ in the center of the public highway and running thence West 871.23 feet, thence South 47.78 feet, thence Southerly 119.34 feet, thence East 819.37 feet to the center of said public highway, thence Northeasterly along the center of said highway 175 feet to point of beginning;

and further excepting that portion of the SE¼ of the SE¼ described as commencing at the most Westerly corner of Lot 8 of Steely's Home Site Subdivision, thence South 52° 54' East 132 feet, thence North 18° 35' East 238 feet, thence North 42° 47' East 171 feet, thence South 48° 18' East to the center of County Trunk Road lying to the South and East of said premises, thence Southwesterly along the center of said County Trunk Road to a point 150 feet in a Northeasterly direction along the center of the County Trunk Road from the South line of said forty acre tract, thence West 200 feet, thence in a Northerly direction to point of beginning;

and except Lynch's Subdivision designated as Oak Park Subdivision, part of the N½ of the SE¼ of Section 17, T89N, R5W of the Fifth P.M., Delaware County, Iowa as recorded Book 4 Page 11; and except Oak Park Second Subdivision of the E½ of the NW¼ of the SE¼ and part of the NE¼ of the SE¼ of Section 17, T89N, R5W of the Fifth P.M., Delaware County, Iowa as recorded Book 2001 Page 2846 and amended by Affidavit Book 2002 Page 3613.

AND

A strip of land 50 feet in width lying 25 feet on both sides of the following described centerline: commencing 25 feet South of the Northeast corner of the SE¼ of Section 17, T89N, R5W of the Fifth P.M., Delaware County, Iowa, thence South 89° 19' West 484.5 feet, thence South 35° 17' West 740.4 feet, thence continuing South 35° 17' West 351.5 feet, said easement terminating in a 100 feet diameter circle with the last described point being the center of said circle; except commencing at the Northernmost corner of Lot Four of Oak Park Subdivision, thence North 54° 43' West 20 feet, thence South 35° 17' West 97.3 feet, thence South 54° 43' East 18.8 feet, thence Northwesterly 106.1 feet along a circular curve, having a radius of 50 feet to the point of beginning.

AND

Lots 1, 2, 8, and Lot A of Oak Park Second Subdivision, a subdivision of the E½ of the NW¼ of the SE¼ and part of the NE¼ of the SE¼ of Section 17, T89N, R5W of the Fifth P.M., Delaware County, Iowa as recorded Book 2001 Page 2846 and amended by Affidavit Book 2002 Page 3613.

PARCEL D, PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) AND PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION, EIGHT (8), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, per plat recorded in Book 2011 Page 2515. *

AND

That certain real estate locally known as 1728 State Highway 13, Manchester, County of Delaware, State of Iowa, and legally described as follows:

The East half (E ½) of the Northwest Quarter (NW ¼), except a tract of land described as follows: Beginning at the Northwest corner of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), running thence South 504.05 feet, thence East 33.0 feet to the point of beginning, thence South 865.7 feet, thence East 21.2 feet, thence North 13.5 minutes West 637.7 feet, thence Northwesterly along a 1482.5 foot radius curve concave Southwesterly 228.8 feet to the point of beginning, containing 0.34 acres, more or less, exclusive of the present established highway; and the North half (N ½) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼); all in Section Eight (8),

Township Eighty-Nine (89) North, Range Five (5) West, of the 5th P.M., according to government survey, subject to easements, if any, of record, excepting therefrom, **PARCEL D**, PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) AND PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION, EIGHT (8), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, per plat recorded in Book 2011 Page 2515

***SUBJECT TO** a real estate contract from Gary J. Lynch and Mary Jane Lynch, husband and wife, to Michael A. Lynch dated August 29, 2012 and which was recorded on August 29, 2012 in Book 2012 at Page 2879 of the records of Delaware County, Iowa Recorder.