

Book 2004 Page 2710 Type 03 01 Pages 2  
Date 6/10/2004 Time 12:06 PM  
Rec Amt \$16.00 Aud Amt \$5.00  
Rev Transfer Tax \$55.20  
Rev Stamp# 142

MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA

ENTERED FOR TAXATION  
THIS 3rd DAY OF June 2004  
*[Signature]*  
DEPUTY AUDITOR

COMPUTER   
RECORDED   
COMPARED

Preparer Information  G. Stephen Walters, 101 1/2 W. Jefferson, Winterset, (515) 462-3731

Individual's Name Street Address City Phone

Address Tax Statement : ELDON L. FRYE  
2671 Settlers' Trail, St. Charles, IA 50240

SPACE ABOVE THIS LINE  
FOR RECORDER



### WARRANTY DEED - JOINT TENANCY

For the consideration of \$35,000.00  
Dollar(s) and other valuable consideration,  
ROSE MARY PENICK, an Unmarried Person

do hereby Convey to  
ELDON L. FRYE and MARY M. FRYE,

as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common, the following described  
real estate in Madison County, Iowa:

See I in Addendum

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have 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 grantors Covenant 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.

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.

STATE OF IOWA, Dated: June 3, 2004

ss: Butler COUNTY,  
On this 3rd day of June 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Rose Mary Penick, an Unmarried Person

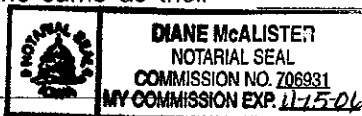
Rose Mary Penick  
Rose Mary Penick (Grantor)

(Grantor)

to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

(Grantor)

Diane McAlister



Notary Public

(Grantor)

(This form of acknowledgment for individual grantor(s) only)

## Addendum

1. The North Half (N½) of the Fractional Northwest Quarter (¼) of Section Thirty-one (31) in Township Seventy-five (75) North Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT A parcel of land in the North Half of the Northwest Fractional Quarter of Section 31, Township 75 North, Range 26 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows: Beginning at the North Quarter Corner of Section 31, Township 75 North, Range 26 West of the 5th Principal Meridian, Madison County, Iowa; thence South 00°00'00" 1,312.96 feet; thence South 86°30'06" West 595.00 feet along the south line of the North half of the Northwest Fractional Quarter of said Section 31; thence North 00°00'00" 1,305.67 feet to the north line of said Northwest Fractional Quarter; thence North 85°48'06" East 595.49 feet to the point of beginning. Said parcel contains 17.85 Acres Including 0.55 Acres of County Road Right of Way.

Note: The east line, of the N½ of the NW. Fr. ¼ of Sectionn 31, T75N, R26W Is assumed to bear due north and south.

The grantor under this Warranty Deed is Rose Mary Penick, the surviving spouse of John J. Penick, who died on April 18, 2000. John J. Penick and Rose Mary Penick were husband and wife, and were the contract sellers under a Real Estate Contract from John J. Penick and Rose Mary Penick, husband and wife, to Eldon L. Frye and Mary M. Frye, covering the above described real property, which Real Estate Contract was dated May 19, 1986, and recorded May 28, 1986, in Book 122, commencing on Page 58, in the Office of the Madison County, Iowa, Recorder. Their interest in the said Real Estate Contract and in the real property covered by it was held by them as joint tenants, with full rights of survivorship, and not as tenants in common, at the time of the death of John J. Penick on April 18, 2000. To the extent necessary or desirable to complete the transfer set forth by this Warranty Deed, Rose Mary Penick hereby requests that the Auditor enter this information on the transfer books pursuant to Iowa Code Section 558.66.

This Warranty Deed is given in fulfillment of a Real Estate Contract from John J. Penick and Rose Mary Penick, husband and wife, to Eldon L. Frye and Mary M. Frye. recorded May 28, 1986, in Book 122 commencing on Page 58 in the Office of the Madison County, Iowa, Recorder, eliminating the need for a Declaration of Value or a Groundwater Hazard Statement.