

FILED NO. **004770**
BOOK **2002** PAGE **4770**
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2002 SEP 27 PM 12:25
(12:25 PM)
MICKI UTSLER
RECORDER
IOWA COUNTY, IOWA

COMPUTER
RECORDED
COMPARED

REC \$ **20⁰⁰**
AUD \$ **5⁰⁰**
R.M.F. \$ **1⁰⁰**

Preparer Information Douglas A. Fulton, 801 Grand Avenue, Suite 3700, Des Moines, Iowa 50309-2727, (515) 243-4191
Individual's Name Street Address City Phone



Address Tax Statement: Wayne E. Newkirk
372 N. Ridge Drive, West Des Moines, Iowa 50265

SPACE ABOVE THIS LINE
FOR RECORDER

WARRANTY DEED

For the consideration of One (\$1.00)
Dollar(s) and other valuable consideration,
Wayne E. Newkirk and Mary Beth Newkirk, husband and wife

do hereby Convey to
Wayne E. Newkirk, Trustee of the Wayne E. Newkirk Revocable Trust dated August 22, 2002, successors in trust

the following described real estate in Madison County, Iowa:
See attached Exhibit "A"

Said conveyance is without consideration and is an exempt transaction with no revenue stamps required per Iowa Code §428A.2(21)

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
POLK COUNTY, ss:

Dated: 8/22/02

On this 22 day of August, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Wayne E. Newkirk and Mary Beth Newkirk, husband and wife

Wayne E. Newkirk
Wayne E. Newkirk (Grantor)

Mary Beth Newkirk
Mary Beth Newkirk (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)

(Grantor)

Douglas A. Fulton
Notary Public
(This form may be used for public or private purposes only)
DOUGLAS A. FULTON
Commission Number **139002**
My Commission Expires **March 27, 2004**

EXHIBIT "A"

The West Half of the Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4}$) and the East Half of the Northwest Quarter ($E\frac{1}{2} NW\frac{1}{4}$) and the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4}$) and the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$) and all that part of the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4}$) lying and being North of Cedar Creek, all in Section 21, Township 76 North, Range 27 west of the 5th P.M., containing in all 305 acres, more or less, AND all that part of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4}$) lying and being north and east of the public highway running across said tract, all in Section 21 of Township 76 North, Range 27 West of the 5th P.M., containing 22 acres, more or less.

EXCEPT:

Parcel "A" legally described as:

Beginning at a point on the East line of the Northwest Quarter ($1/4$) of the Northeast Quarter ($1/4$) of Section Twenty-one (21), in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, 697.94 feet South of the Northeast corner of said Northwest Quarter ($1/4$) of the Northeast Quarter ($1/4$), thence South on said East line 30.35 feet, thence South $55^{\circ} 28' 10''$ West 40.06 feet to the West right of way line of the public road, thence continuing South $55^{\circ} 28' 10''$ West 864.34 feet, thence South $0^{\circ} 46' 50''$ West 129 feet, thence North $89^{\circ} 13' 10''$ West 280 feet, thence North $0^{\circ} 46' 50''$ East 230 feet, thence South $89^{\circ} 13' 10''$ East 280 feet, thence South $0^{\circ} 46' 50''$ West 70.36 feet, thence North $55^{\circ} 28' 10''$ East 863.84 feet to the West right of way of public road, thence continuing North $55^{\circ} 28' 10''$ East 40.06 feet to the point of beginning, containing 2 acres, more or less

EXCEPT:

Parcel "B" legally described as:

A tract of land bounded by a line described as commencing at the Northwest corner of Section Twenty-one (21), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; thence South along the Section line to the center line of the existing county road running Easterly through said Section 21; thence Easterly along the center line of said county road to the East line of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$) of said Section 21, Township 76, North of Range 27, thence North along the center line of said county road to the Northeast corner of the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$) of said Section 21; thence West along the Section line to the point of beginning;

EXCEPT a parcel of ground described as commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$), Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., thence

South 00° 00' along the East line of the West One-half of the Northeast Quarter (W½ NE¼) of said Section 21, 643.1 feet to the point of beginning, thence continuing South 00° 00' along the said East line of the West One-half of the Northeast Quarter (W½ NE¼) 831.1 feet, thence South 85° 15' West 135.3 feet, thence South 72° 16' West 140.4 feet, thence South 79° 11' West 139.1 feet, thence South 73° 42' West 170 feet, thence South 59° 48' West 194.0 feet, thence South 76° 30' West 335.5 feet, thence South 75° 30' West 233.0 feet, thence North 01° 16' East 145.5 feet, thence North 60° 42' East 109.0 feet, thence North 37° 36' East 158.2 feet, thence North 00° 39' West 116.7 feet, thence North 04° 37' East 213.0 feet, thence North 28° 30' East 166.8 feet, thence North 81° 04' East 239.3 feet, thence North 83° 41' East 362.9 feet, thence North 51° 42' East 510.4 feet, to the point of beginning. Said parcel contains 17.9425 acres including 0.6521 acres of public road right-of-way and is situated in the West One-half of the Northeast Quarter (W½ NE¼) of Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;

AND EXCEPT: a parcel of ground described as commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence South 00° 00' along the East line of the West One-half of the Northeast Quarter (W½ NE¼) of said Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West 1474.2 feet to the point of beginning; thence South 85° 15' West 135.3 feet, thence South 72° 16' West 140.4 feet, thence South 79° 11' West 139.1 feet, thence South 73° 42' West 170.0 feet, thence South 59° 48' West 194.0 feet, thence South 76° 30' West 335.5 feet, thence South 75° 30' West 467.6 feet, thence South 31° 53' West 366.6 feet, thence South 20° 11' West 383.9 feet to the center line of the county road, thence South 88° 39' East 265.6 feet along said center line thence North 83° 44' East 547.2 feet along said center line, thence North 44° 13' East 493.4 feet along said center line, thence North 83° 45' East 691.5 feet along said center line to the East line of the Southwest Quarter of the Northeast Quarter (SW¼ NE¼) of Section Twenty-one (21), Township Seventy-six (76), North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence North 00° 00' along said East line and county road center line 611.3 feet to the point of beginning. Said parcel contains 24.6166 acres including 1.9802 acres of county road right-of-way and is situated in the Southwest Quarter of the Northeast Quarter (SW¼ NE¼) and the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.

EXCEPT:

Parcel "C", legally described as:

A parcel of land located in the Southwest Quarter (¼) of the Northeast Quarter (¼), and in the Northwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-one (21), in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th

P.M., Madison County, Iowa, more particularly described as follows:
Beginning at the Southeast Corner of the Southwest Quarter (1/4) of
the Northeast Quarter (1/4) of Section Twenty-one (21), Township
Seventy-six (76) North, Range Twenty-seven (27) West of the 5th
P.M., Madison County, Iowa, thence along the East line of the
Northwest Quarter (1/4) of the Southeast Quarter (1/4) of said
Section Twenty-one (21), South 00° 43' 00" West 244.78 feet,
thence South 76°05'13" West 299.24 feet, thence South 90° 00' 00"
West 341.99 feet thence North 00° 00' 00" 783.29 feet to the
centerline of a county road, thence along said centerline North 83°
45' 00" East 639.32 feet to the East line of the Southwest Quarter
(1/4) of the Northeast Quarter (1/4), thence along said East line,
South 00° 00' 00" 536.18 feet to the Point of Beginning, said parcel
of land contains 11.682 acres, including 0.492 acres of county road
right of way, subject to and together with any and all easements,
covenants and restrictions of record.