

Mail recorded document and Tax Statement to:

Lynn and Muriel Godbersen
2431 St. Charles Rd.
Winterset, IA 50273

FILED NO. 000827

REC \$ 10⁰⁰
AUD \$ 10⁰⁰
R.M.F. \$ 1⁰⁰

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BOOK 2003 PAGE 827

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HICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

DOCUMENT PREPARED By Brian J. Humke
NYEMASTER LAW FIRM
1416 Buckeye, Suite 200, Ames, Iowa 50010-8070
(515) 233-3000

CORRECTIVE WARRANTY DEED-JOINT TENANCY

In consideration of one (\$1.00) Dollar and other valuable consideration received, Kathy Dvorak, f/k/a Kathy Whetstone, a single person, Dan Myers, a single person, Kelly Myers, a single person, Connie Myers, a single person, do hereby convey to Lynn R. Godbersen and Muriel R. Godbersen, husband and wife, as Joint Tenants with full rights of survivorship, and not as Tenants in Common, the following described real estate in Madison County, Iowa:

The East Seven-eighths (7/8) of the North One-fourth (1/4) and the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-seven (27), and the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-six (26), and the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Twenty Seven (27), Except Parcel "A" located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-six (26), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter (1/4) corner of Section Twenty-six (26), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of the Southwest Quarter (1/4) of the Northwest Quarter of said Section Twenty-six (26), North 90°00'00" East 429.26 feet to the Point of Beginning; thence North 00°13'59" West 278.16 feet to said South line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4), thence along said South line, South 90°00'00" West 533.05 feet to the Point of Beginning, all in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.

This conveyance is made subject to a valid, existing Royalty Agreement, dated March 5, 1974 between the Grantors herein, successors in interest to Mr. Earl Myers, Party of the First Part, and Martin Marietta Materials, Inc., successor in interest to Martin Marietta Corporation, assignee from E. I. Sargent Quarries, Inc., Party of the Second Part.

This conveyance is also subject to a mortgage in favor of Martin Marietta Materials, Inc., successor in interest to Martin Marietta Corporation, to whom the mortgage was assigned by virtue of an assignment dated April 14, 1982 and recorded May 6, 1982, Deed Records Book 34, Page 149 of the records of the Madison County, Iowa Recorder. The original mortgage was in favor of E. I. Sargent Quarries, Inc. dated July 23, 1974 and recorded in Mortgage Records Book 121, Page 535 of the records of the Madison County, Iowa Recorder.

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 acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the

✓ ECOR

