



Document 2009 3721

Book 2009 Page 3721 Type 06 017 Pages 3
Date 12/10/2009 Time 3:39 PM
Rec Amt \$19.00

INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

RIGHT OF FIRST REFUSAL AND OPTION TO PURCHASE

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Jane E. Rosien, 223 E. Court Avenue, P.O. Box 67, Winterset, Iowa 50273-0067
(515)-462-4912

Taxpayer Information: (name and complete address)

Billy J. and Kimberly L. Tucker, 1780 Meadow Valley Court, Winterset, Iowa 50273

Return Document To: (name and complete address)

Jane E. Rosien, 223 E. Court Avenue, P.O. Box 67, Winterset, Iowa 50273-0067
(515)-462-4912

Grantors:

Lonna J. Nielsen
Daniel J. Nielsen

Grantees:

Billy J. Tucker
Kimberly L. Tucker

Legal Description: See page 2.

Document or instrument number of previously recorded documents: N/A


RIGHT OF FIRST REFUSAL AND OPTION TO PURCHASE

Billy J. Tucker and Kimberly L. Tucker, husband and wife, (hereinafter "Grantors") hereby grant Daniel J. Nielsen and Lonna J. Nielsen, husband and wife, (hereinafter "Grantees") the right of first refusal and option to purchase the real estate legally described as:

Parcel "H" located in the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, containing 53.50 acres, as shown in Plat of Survey filed in Book 2009, Page 3562 on November 24, 2009, in the Office of the Recorder of Madison County, Iowa,

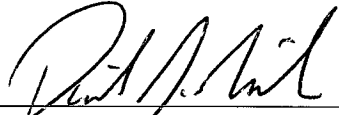
upon the same terms and conditions as Grantors would propose to sell this real estate to any third party. The Grantors shall notify the Grantees at the Grantees' last known address by certified mail and by ordinary mail of the proposed third party sale terms and the Grantees shall have fifteen (15) days from the date of the receipt of the certified letter to accept or reject the offer. The Grantees' failure to timely reply to the offer shall be deemed a rejection of the offer and shall void this option allowing the Grantors to proceed with the third party sale. Upon the Grantees' timely acceptance of the offer, the parties shall execute a binding sales contract upon the real estate within ten (10) business days of the date of acceptance incorporating all terms of the third party offer. The Grantees' right of first refusal shall not apply to the testamentary devise of this real estate or to transfers in trust for the benefit of the Grantors or their children; or to the transfers of the real estate between the Grantors or between the Grantors and their children, or any of them, whether by gift or otherwise. However, this option shall otherwise be binding upon the Grantors, their legal representatives, heirs, successors and assigns of the Grantors as to any other third party transactions. This right of first refusal is personal to the Grantees and may not be assigned or transferred by them or either of them.

GRANTORS:

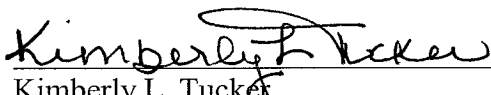


Billy J. Tucker
Date 12/10/09

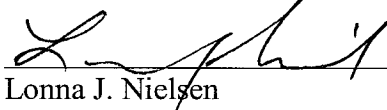
GRANTEES:



Daniel J. Nielsen
Date 12-7-09



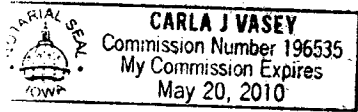
Kimberly L. Tucker
Date 12/10/09



Lonna J. Nielsen
Date 12-10-09

STATE OF IOWA :
 : SS
MADISON COUNTY :

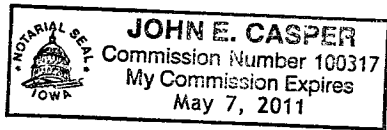
On this 10 day of December, 2009, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Daniel J. Nielsen and Lonna J. Nielsen to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged the same as his and her voluntary act and deed.



Carla J. Vasey
Notary Public in and for the State of Iowa

STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 10th day of December, 2009, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Billy J. Tucker and Kimberly L. Tucker to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged the same as his and her voluntary act and deed.



John E. Casper
Notary Public in and for the State of Iowa