



Document 2009 3777

Book 2009 Page 3777 Type 05 001 Pages 8

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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

## ASSIGNMENT OF MORTGAGE AND NOTE

### Recorder's Cover Sheet

Preparer Information: (Individual's name, address and phone number)

Edgar J. Tyler, 1511 Caldwell Street, Conway, AR 72034 (501) 336-9099

Taxpayer Information: (Taxpayer's name and full mailing address)

Alice E. Jones c/o Sally Jones, 135 Bibler Lane, Russellville, AR 72802

Return Document To: (name and full mailing address)

Edgar J. Tyler, 1511 Caldwell Street, Conway, AR 72034 (501) 336-9099

Grantors:

Alice E. Jones

Grantees:

Suzan Katherine Jones and  
Karl Raymond Jones, Trustees of the  
Declaration of Trust by Karl Joseph  
Jones and Alice Eleanor Jones dated  
July 24, 1990

Parcel Identification Number: (If required or applicable)

Legal Description:

See attached legal description

Document or instrument number of associated documents previously recorded:

Book 2009, Page 285

## ASSIGNMENT OF MORTGAGE AND NOTE

The undersigned, Alice Eleanor Jones, an unmarried person, in consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is acknowledged, does hereby grant, bargain, sell, assign and transfer to Suzan Katherine Jones and Karl Raymond Jones, Trustees of The Declaration of Trust by Karl Joseph Jones and Alice Eleanor Jones dated July 24, 1990, as amended, their successors and assigns, a mortgage dated October 24, 2008, executed to the undersigned by David N. Ake and Karen L. Ake, securing the sum of \$212,553.00, which is recorded in Book 2009 at Page 285 of the records of Madison County, Iowa, and which mortgages the following described property:

Lot One (1) of North River Subdivision, a part of Parcel "D", except for Parcel "G", located in the Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty-three (33), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 8.816 acres, including .466 acres of County road Right of Way.

And the undersigned further assigns and transfers to the said Suzan Katherine Jones and Karl Raymond Jones, Trustees, their successors and assigns, the obligation secured by said mortgage, the same being a promissory note in the same amount given the same date, executed to the undersigned by David N. Ake and Karen L. Ake.

The undersigned covenants that it is the lawful owner and holder of said mortgage and note, and that it is the undersigned's intention to assign and transfer to the assignees all of her right, title, interest and estate in and to the

above-described mortgage and note all without recourse to the undersigned assignor.

EXECUTED this 20 day of November, 2009.

*Alice E Jones by Suzan K. Jones*  
ALICE ELEANOR JONES, by Suzan K.  
Jones under Power of Attorney dated  
April 7, 2009, a copy of which is  
attached hereto as Exhibit "A"

This Instrument Prepared By:

Edgar J. Tyler (Ark. Bar. #80153)  
Edgar J. Tyler & Associates, PLLC  
1511 Caldwell Street  
Conway, AR 72034  
(501) 336-9099

**ACKNOWLEDGMENT**

**STATE OF ARKANSAS**

**COUNTY OF FAULKNER**

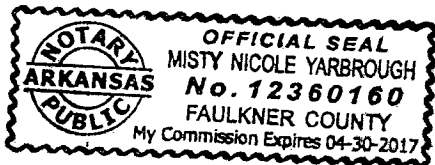
On this 20 day of November, 2009, I hereby certify that personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Suzan K. Jones, to me well known and known to me to be the Agent for Alice Eleanor Jones under Power of Attorney, who executed the foregoing Assignment of Mortgage and Note on behalf of said Alice Eleanor Jones for the purposes therein expressed.

**WITNESS MY HAND AND OFFICIAL SEAL** at Conway, Arkansas, this 20 day of November, 2009.

*Misty Nicole Yarbrough*  
**NOTARY PUBLIC**

**MY COMMISSION EXPIRES:**

April 30, 2017



Uniform Statutory Form Financial Power of Attorney  
(California Probate Code Section 4401)

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE UNIFORM STATUTORY FORM POWER OF ATTORNEY ACT (CALIFORNIA PROBATE CODE SECTIONS 4400-4465, INCLUSIVE). IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I, Alice E. Jones, 160 Bibler Lane, Russellville, Arkansas, 72802  
appoint Susan K. Jones, 160 Bibler Lane, Russellville, Arkansas, 72802  
as my agent (attorney-in-fact) for me in any lawful way with respect  
to the following initialed subjects

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF  
(N) AND IGNORE THE LINES IN FRONT OF THE OTHER POWERS. TO GRANT ONE  
OR MORE, BUT FEWER THAN ALL, OF THE FOLLOWING POWERS, INITIAL THE  
LINE IN FRONT OF EACH POWER YOU ARE GRANTING. TO WITHHOLD A POWER, DO  
NOT INITIAL THE LINE IN FRONT OF IT. YOU MAY, BUT NEED NOT, CROSS OUT  
EACH POWER WITHHOLD.

INITIAL

- \_\_\_\_\_ (A) REAL PROPERTY TRANSACTIONS
- \_\_\_\_\_ (B) TANGIBLE PERSONAL PROPERTY TRANSACTIONS
- \_\_\_\_\_ (C) STOCK AND BOND TRANSACTIONS
- \_\_\_\_\_ (D) COMMODITY AND OPTION TRANSACTIONS
- \_\_\_\_\_ (E) BANKING AND FINANCIAL INSTITUTION TRANSACTIONS
- \_\_\_\_\_ (F) BUSINESS OPERATING TRANSACTIONS
- \_\_\_\_\_ (G) INSURANCE AND ANNUITY TRANSACTIONS
- \_\_\_\_\_ (H) ESTATE, TRUST, AND OTHER BENEFICIARY TRANSACTIONS
- \_\_\_\_\_ (I) CLAIMS AND LITIGATION
- \_\_\_\_\_ (J) PERSONAL AND FAMILY MAINTENANCE.
- \_\_\_\_\_ (K) BENEFITS FROM SOCIAL SECURITY, MEDICARE,  
MEDICAID, GOVERNMENTAL PROGRAMS, CIVIL SERVICE,  
OR MILITARY SERVICE.
- \_\_\_\_\_ (L) RETIREMENT PLAN TRANSACTIONS
- \_\_\_\_\_ (M) TAX MATTERS
- Paul (N) ALL OF THE POWERS LISTED ABOVE

YOU NEED NOT INITIAL ANY OTHER LINES IF YOU INITIAL LINE (N).

**SPECIAL INSTRUCTIONS:**

ON THE FOLLOWING LINES, YOU MAY GIVE SPECIAL INSTRUCTIONS LIMITING OR EXTENDING THE POWERS GRANTED TO YOUR AGENT.

My agent shall have the power to direct distributions of principal and interest from my IRA accounts

UNLESS YOU DIRECT OTHERWISE ABOVE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED. This power of attorney will continue to be effective even though I become incapacitated.

~~STRIKE THE PRECEDING SENTENCE IF YOU DO NOT WANT THIS POWER OF ATTORNEY TO CONTINUE IF YOU BECOME INCAPACITATED.~~

I agree that any third party who receives a copy of this document may act under it. Revocation of the power of attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

Signed this 7 day of April, 2009

  
(Your signature)

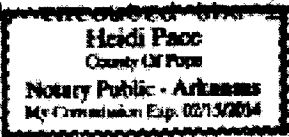
  
(Social Security number)

BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT.

State of Arkansas  
County of Pope

SS.

On April 7<sup>th</sup>, 2009 before me, Heidi Pace Notary Public, personally appeared Alice E. Jones personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.



Heidi Pace

NOTARY SEAL

(Signature of Notary Public)

\*Notaries may attach another notarizing declaration in lieu of the above if required by their state.

I declare under penalty of perjury (1) that the person who signed this power of attorney is personally known to me, or that the Principal's identity was proven to me by convincing evidence, (2) that the Principal acknowledged this power of attorney in my presence, (3) that the individual appears to be of sound mind and under no duress, fraud or undue influence, and (4) that I am not a person appointed as the Attorney in Fact. I further declare that I am not related to the Principal by blood, marriage, domestic partnership or adoption.

April 7<sup>th</sup> 2009  
(Date)

Imodell George  
(Signature of Witness)

146 Russell Lane  
(Address)

Imodell George  
(Printed Name of Witness)

Russellville Ar  
(City)

Arkansas  
(State)

April 7th  
(Date)

146 Russell Lane  
(Address)

Russellville  
(City)

J. B. George  
(Signature of Witness)

J. B. George  
(Printed Name of Witness)

Arkansas  
(State)