



Document 2010 234

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

TRUSTEE WARRANTY DEED

THE IOWA STATE BAR ASSOCIATION

Official Form No. 108

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

James E. McCarthy
Parker Simons McNeill PLC
5400 University Ave
West Des Moines IA 50266
Phone 515-226-6123

Taxpayer Information: (name and complete address)

Jerry D. Burger
29335 Ashworth Road
Adel IA 50003

Return Document To: (name and complete address)

James E. McCarthy
Parker Simons McNeill PLC
5400 University Ave
West Des Moines IA 50266

Grantor:

The Harvey D. Burger Family Trust Dated July 10, 1995

Grantee:

Jerry D. Burger
29335 Ashworth Road
Adel IA 50003

Legal Description: See page 2

Document or instrument number of previously recorded documents:

Preparer Information: James E. McCarthy, 5400 University Ave, West Des Moines IA 50266 Phone # 515-226-6123
Send Tax Statement to: Jerry D. Burger, 29335 Ashworth Road, Adel IA 50003

TRUSTEE WARRANTY DEED

For the consideration of One Dollar (\$1) and other valuable consideration, CURTIS E. BURGER, CRIS A. BURGER, JACQUELINE BURGER CARPENTER and JERRY D. BURGER, Trustees of the HARVEY D. BURGER FAMILY TRUST dated July 10, 1995 do hereby convey to Jerry D. Burger, a married person, the following described real estate in Madison County, Iowa:

SEE ATTACHED EXHIBIT A - Legal Description of Earlham Farm in Madison County, Iowa attached hereto and by this reference made a part hereof.

The Grantors of this Deed, CURTIS E. BURGER, CRIS A. BURGER, JACQUELINE BURGER CARPENTER and JERRY D. BURGER, as Trustees of the HARVEY D. BURGER FAMILY TRUST dated July 10, 1995, do hereby covenant with Grantee, Jerry D. Burger, and his successors in interest, to warrant and defend the real estate against the lawful claims of all persons claiming by, through or under the Grantors. This Deed is given in satisfaction of the terms of the Order Approving Family Settlement agreement entered in the Iowa District Court for Dallas County on December 18, 2009, Probate No. ESPRO 21760 between Grantors and Grantee.

The Grantors further warrant to the Grantee all of the following: that the trust pursuant to which the transfer is made is duly executed and in existence; that to the knowledge of the Grantors the person creating the trust was under no disability or infirmity at the time the trust was created; that the transfer by the Trustees to the Grantee is effective and rightful; and that the Trustees know of no facts or legal claims which might impair the validity of the trust or the validity of this transfer. Words and phrases herein, including acknowledgment hereof shall be construed as in the singular or plural number, according to the context.

The Harvey D. Burger Family Trust Dated July 10, 1995

Curtis E. Burger
Curtis E. Burger, as Trustee of the above-entitled Trust

Dated the 27th day of January, 2010.

Cris A. Burger
Cris A. Burger, as Trustee of the above-entitled Trust

Dated the 25 day of January, 2010.

Jacqueline Burger Carpenter
Jacqueline Burger Carpenter, as Trustee of the above-entitled Trust

Dated the 28 day of January, 2010.

Jerry D. Burger
Jerry D. Burger, as Trustee of the above-entitled Trust

Dated the 8 day of January, 2010.

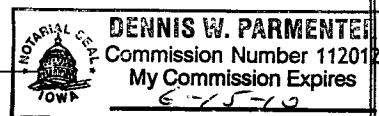
Preparer Information: James E. McCarthy, 5400 University Ave, West Des Moines IA 50266 Phone # 515-226-6123

TRUSTEE WARRANTY DEED NOTARY ACKNOWLEDGMENTS

STATE OF IOWA, COUNTY OF STORY SS:

This instrument was acknowledged before me by Curtis E. Burger, as one of the Trustees of the above-entitled Trust on the 27th day of January, 2010.

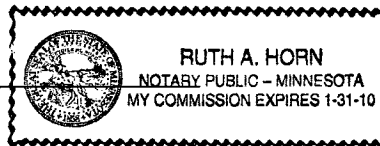
Dennis W. Parmenter
Notary Public, State of Iowa



STATE OF Minnesota, COUNTY OF Hennepin SS:

This instrument was acknowledged before me by Cris A. Burger, as one of the Trustees of the above-entitled Trust on the 25 day of January, 2010.

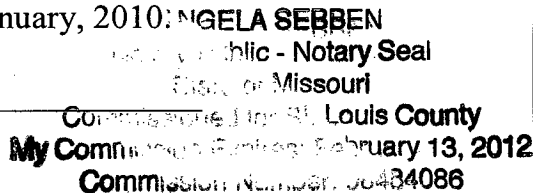
Ruth A. Horn
Notary Public, State of Minnesota



STATE OF MISSOURI, COUNTY OF ST. LOUIS SS:

This instrument was acknowledged before me by Jacqueline Burger Carpenter, as one of the Trustees of the above-entitled Trust on the 28 day of January, 2010.

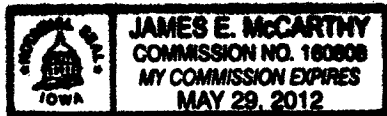
Angela Sebben
Notary Public, State of MISSOURI



STATE OF IOWA, COUNTY OF POLK SS:

This instrument was acknowledged before me by Jerry D. Burger, as one of the Trustees of the above-entitled Trust on the 8 day of January, 2010.

James E. McCarthy
Notary Public, State of Iowa



Ex A - Legal Description Earlham Farm, Madison County, Iowa

The South Fractional Half of the Northwest Quarter (S fr. $\frac{1}{2}$ of NW $\frac{1}{4}$); and the Northeast Quarter of Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$); and the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) all in Section 6, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, *EXCEPT* Parcel "A" located in the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$), and in the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and in the Northwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of said Section 6, containing 8.787 acres, as shown in Plat of Survey filed in Book 2, page 492 on August 2, 1994 in the Office of the Recorder of Madison County, Iowa.