



Document 2012 3432

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Fee Amount: \$37.00

Revenue Tax: \$1,195.20

LISA SMITH RECORDER

Madison County, Iowa

Rev Stamp# 352 DOV# 372

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ANNO  
SCAN  
CHEK

## TRUSTEE WARRANTY DEED

THE IOWA STATE BAR ASSOCIATION

Official Form No. 107

Recorder's Cover Sheet

*\$ 747,500.00*

**Preparer Information:**

Brett T. Osborn, 974 73rd Street, Ste. 20, Windsor Heights, IA 50324, Phone: (515) 223-6000

**Taxpayer Information:**

Danny J. Allen, 1966 175th Lane, Winterset, Iowa 50273

**Return Address**

Brett T. Osborn, 974 73rd Street, Ste. 20, Windsor Heights, IA 50324, Phone: (515) 223-6000

**Grantors:**

Patricia W. Barry, Trustee of the Survivor's Trust under the Philip Barry and Patricia Barry Family Trust dated May 6, 1998 and Stephen W. Dunn, Trustee of the Dunn Family Trust dated June 10, 1998

**Grantees:**

Danny J. Allen and Sonia B. Allen

**Legal Description:** See Exhibit A

**Document or instrument number of previously recorded documents:**

Brett T. Osborn

**TRUSTEE WARRANTY DEED**  
**(Inter Vivos Trust)**

For the consideration of One (\$1.00) Dollar(s) and other valuable consideration, **Patricia Barry, Trustee of Patricia Barry, as trustee under the Survivor's Trust under the Philip and Patricia Barry Family Trust dated May 6, 1998, by Stephen F. Breimer, her attorney in fact pursuant to a Power of Attorney recorded in the official records of the Madison County, Iowa Recorder in Book 2012, Page 3062 thereof and Stephen W. Dunn, as trustee under the Dunn Family Trust dated June 10, 1990** do hereby convey to **Danny J. Allen and Sonia B. Allen, husband and wife**, the following described real estate in Madison County, Iowa:

See Exhibit "A" attached.

The grantor hereby covenants with grantees, and successors in interest, that grantor holds the real estate by title in fee simple; that grantor has 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 grantor covenants to warrant and defend the real estate against the lawful claims of all persons, except as may be above stated.

The grantor further warrants to the grantees 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 grantor the person creating the trust was under no disability or infirmity at the time the trust was created; that the transfer by the trustee to the grantees is effective and rightful; and that the trustee knows of no facts or legal claims which might impair the validity of the trust or the validity of the transfer.

Words and phrases herein, including the acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

Patricia Barry by Stephen F. Breimer as her attorney in fact  
Patricia Barry, as trustee under the Survivor's Trust under the Philip and Patricia Barry Family Trust dated May 6, 1998, by Stephen F. Breimer, her attorney in fact pursuant to a Power of Attorney recorded in the official records of the Madison County, Iowa Recorder in Book 2012, Page 3062

Stephen W. Dunn  
Stephen W. Dunn, as trustee under the Dunn Family Trust dated June 10, 1990

CERTIFICATE OF ACKNOWLEDGMENT

State of California

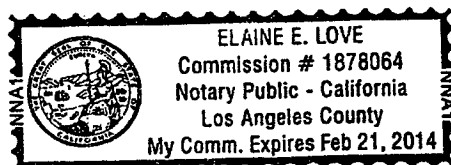
County of Los Angeles ) ss.

On November 5, 2012, before me, Elaine E. Love, Notary Public, personally appeared Stephen F. Breimer who 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 signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Elaine E. Love  
(Seal)



CERTIFICATE OF ACKNOWLEDGMENT

State of California

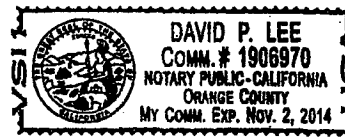
County of Orange ) ss.

On November 2, 2012, before me, David P. Lee, Notary Public, personally appeared Stephen W. Dunn who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature David P. Lee  
(Seal)



By Warranty Deed:

A. In Section 12 in Township 75N. of Range 28W of the 5<sup>th</sup> P.M.:

1. The SE quarter of the NE fractional quarter, excluding therefrom Parcel H of a plat of survey dated 9-28-12 recorded on September 28, 2012 in book 2012, page 2922 in the official records of the County Recorder of Madison County, Iowa.
2. That portion of the W. 26 2/3 rods of the E 53 1/3 rods of the S. 120 rods of the E half of the SE fractional quarter (also known as a portion of Lot 9), which lies N. and E. of the main channel of the Middle River, and estimated at one time to contain 2 3/4 acres, more or less.
3. That portion of the E 26 2/3 rods of the S half of the NE quarter of the SE fractional quarter (also known as a portion of Lot 8), which lies N. and E. of the Middle River.

B. In Section 7 in Township 75N. of Range 27W of the 5<sup>th</sup> P.M.:

Subject to that certain agreement entered into between J. M. Robbins and the City of Winterset which is recorded in Miscellaneous Record 19, at page 40, and subject to the conveyance for road purposes and use as a public highway of certain real estate to the State of Iowa, as more particularly described in the conveyance document therefor which is recorded in Deed Record 57, at page 562, and containing 5.6 acres, more or less:

1. All of that part of the north 21.25 rods of the SW quarter of the SW fractional quarter which lies north and west of the Middle River.
2. All of that part of the S. half of the NW quarter of the SW fractional quarter which lies north and west of the Middle River.
3. The N half of the NW quarter of the SW fractional quarter.
4. The SW quarter of the NW fractional quarter, excluding therefrom Parcel E of a plat of survey dated 9-28-12 recorded on September 28, 2012 in book 2012, page 2919 in the official records of the County Recorder of Madison County Iowa, and except a tract commencing at a point on the NE corner of said SW quarter of the NW fractional quarter, running thence west 33 feet, thence south 120 feet, thence east 33 feet, and thence north 120 feet to the point of beginning.
5. Lots 7 and 8 of the SE quarter of the NW fractional quarter.
6. Lot 4 of the SE quarter of the NW fractional quarter.
7. Lot 2 of a plat or survey recorded April 9, 1873 in book 8, page 284 in the official records of the County Recorder of Madison, County, Iowa situated in the NW quarter of the NE fractional quarter, excepting therefrom the north 20 rods and 7 links thereof.

