STATEMENT OF VARIFIED CLAIM OF INTEREST OF LYDIA G. GRULKE AND ELDON P. GRULKE IN AND TO CERTAIN REAL ESTATE BY REASON OF REVERTER IN ACCORDANCE WITH PROVISIONS OF SECTION 614.24 OF THE CODE OF IOWA km

STATE OF IOWA :
: ss
MADISON COUNTY:

I, Shirley A. Webster, attorney for Lydia G. Grulke and Eldon P. Grulke, state:

The said Lydia G. Grulke and Eldon P. Grulke are the residuary devisees under the Will of Jennie Grulke who died testate a resident of Madison County, Iowa, on October 30, 1969. The said Jennie Grulke was the surviving spouse and sole distributee under the Will of Herman C. Grulke who died testate a resident of Madison County, Iowa, on July 9, 1969.

On the 14th day of May, 1963, H. C. Grulke who was the same person as Herman C. Grulke and his wife, Jennie Grulke, executed a deed which was recorded on May 14, 1963, conveying to Madison County, Iowa, the following-described real estate, to-wit:

> Commencing at the SE corner of the $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 20 T76N R27W of the 5th P.M.; thence N88°10'W 451.4 feet to the point of beginning; thence N88°10'W 128.6 feet; thence S1°29'W 679.0 feet; thence S88°45'E 128.6 feet; thence N1°29'E 676.0 feet to the point of beginning and containing 2.0 acres, more or less. Note: the south line of the $NW\frac{1}{4}$ of Section 20 T76N R27W is assumed to bear due east.

Said deed was subject to the express condition, "When ever the above described real estate ceases to be used for rock quarry purposes the grantor shall have the first opportunity to purchase it from Madison County."

The claimants herein presently own all of the interest reserved by said grantors to have the first opportunity to purchase said real estate from Madison County, Iowa, when it ceases to be used for rock quarry purposes.

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MARY E. KELLY
RECORDER
MADISON COUNTY, IOWA
Fee $9.00

On the 13th day of March, 1953, H. C. Grulke who is the same person as Herman C. Grulke and his wife, Jennie Grulke, executed an instrument designated as a "warranty deed" which was recorded on March 13, 1958, which was in substance being a lease to Madison County, Iowa, to the following-described real estate, to-wit:

> Commencing at the SE Cor. NE¼ NW¼ Sec. 20, T76N R27W, thence north 88° 10' West 580.0 feet, to the P.O.B., thence north 88° 10' west 705.0 feet, thence south 2° 05' west 683.2 feet, thence south 88° 45' east 716.7 feet, thence north 1° 29' east 679.0 feet to the P.O.B., containing 11.12 acres, more or less,

"for so long as the same is usable for the purposes of maintaining a rock quarry thereon and extracting rock therefrom in the sole discretion of the Board of Supervisors of Madison County, Iowa".

On the 8th day of January, 1954, Herman C. Grulke and his wife, Jennie Grulke, entered into an "agreement for sale of land" whereby the said Herman C. Grulke and Jennie Grulke made a conditional sale of the following-described real estate, to-wit:

> Commencing at the center of Section 20, Township 76 North, Range 27 West of the 5th P. M., thence West 653.7'; thence North 23° 15' West 132.5' to the point of beginning; thence North 23° 15' West 567.4', thence South 88° 45' East 596.2'; thence South 1° 18' West 297.45'; thence South 70° 41' West 394.5'; thence South 16° 49' East 79.7'; thence South 73° 11' West 30.0' to the point of beginning, containing 4.46 acres more or less. (Note: The North line of the Southwest Quarter of said Section 20 is assumed to lie due East and West.)

to Madison County, Iowa, for use as a rock quarry and subject to the following condition and option:

> "In the event the Buyer should at any time in the future desire to sell the real estate herein conveyed, the Seller herein, or the then owner of the adjacent tract from which the above described real estate is being taken, shall be afforded the first opportunity to purchase said real estate at the best bona fide price obtainable by the Buyer herein at such time. It is further agreed that the deed to be given by the Seller hereunder shall contain such a provision."

The claimants herein own or have the right to acquire the adjacent tract from which the real estate described in the instrument dated January 8, 1954, was taken.

The claimants herein presently hold all of the title, titles, options, rights, reversions, reverter interest and use restrictions retained by the said Herman C. Grulke and Jennie Grulke in and to all three tracts of real estate described in the instruments hereinbefore mentioned whether the same are present interest or an interest which would come into existence if Madison County, Iowa, ceases to use said three tracts of real estate as a rock quarry.

The foregoing statements are true and correct as I verily believe.

WEBSTER, JORDAN, OLIVER & WALTERS

By Shirley A. Webster
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ATTORNEYS FOR LYDIA G. GRULKE AND ELDON P. GRULKE.

Subscribed and sworn to before me by Shirley A. Webster on this 7th day of July, 1982.



Notary Public in and for the State of Iowa.