

Recorded: 4/16/2019 at 4:03:23.0 PM
County Recording Fee: \$12.00
Iowa E-Filing Fee: \$3.22
Combined Fee: \$15.22
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2019 PG: 822

Prepared by: Amanda D'Amico, Simmons Perrine Moyer Bergman PLC
and return to: 115 Third Street - Suite 1200, Cedar Rapids, Iowa 52401 (319) 366-7641

SPACE ABOVE THIS LINE FOR RECORDER

**WAIVER OF
RIGHTS**

RE: The Southwest Quarter, and West one-half of Southeast quarter, and Southeast quarter of Southeast quarter of Section Three (3), and North One-half of Northwest quarter, and Northwest quarter of Northeast quarter of Section Ten (10), all in Township Eighty Seven (87) North, Range Six (6), West of the Fifth P.M. (the "Property").

WHEREAS, the Last Will and Testament of Vern Ann Baxter dated June 9, 2014 (the "Will") was filed with the Linn County Clerk of Court in Cedar Rapids, Iowa on July 9, 2018 and such Will was admitted to probate on July 12, 2018 (Case No. 06571 ESPR041487).

WHEREAS, the Will contains the following language in reference to Vern Ann Baxter's daughter, Barbara Ann Thomsen, and the Property:

It is my intention that my daughter shall be allowed to live in the farmhouse at the Ryan farm for so long as she lives or desires to live there at no expense to her. It is my desire that she shall have a life estate in the house as part of the trust property and that the trust shall pay all expenses connected therewith including but not limited to all maintenance, repair, taxes, insurance, etc. However, if the farmland including the house is sold the trust shall provide satisfactory living accommodations for her all at trust expense before the annual net percentages are figured.

WHEREAS, Richard Baxter, executor of the Vern Ann Baxter estate, executed a Real Estate Purchase Agreement on February 13, 2019 with Steven Sheppard and Mary K. Sheppard to sell the Property ("Purchase Agreement").

NOW, THEREFORE, in consideration of the mutual promises made below, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Barbara Ann Thomsen hereby waives any and all rights she may have to the Property as provided for in the Will or otherwise, and consents to the sale of the Property as provided in the Purchase Agreement.

Dated: March 27, 2019.

Barbara Ann Thomsen
Barbara Ann Thomsen

STATE OF IOWA)
) ss:
LINN COUNTY)

This instrument was acknowledged before me on the 27 day of March, 2019, by Barbara Ann Thomsen.

Lucas J. Leonard
NOTARY PUBLIC - STATE OF IOWA
My Commission Expires on: May 11, 2021

