

Recorded: 4/17/2019 at 1:35:07.0 PM
County Recording Fee: \$77.00
Iowa E-Filing Fee: \$4.44
Combined Fee: \$81.44
Revenue Tax: \$0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2019 PG: 834

Prepared by Darrel A. Morf, Simmons Perrine Moyer Bergman PLC
and return to: 115 Third Street SE - Suite 1200, Cedar Rapids, Iowa 52401 (319) 366-7641

SPACE ABOVE THIS LINE FOR RECORDER

Address Tax Statements: Jo Ellen M. Hoth: 6048 Nikonha Place, Burlington, IA 52601

COURT OFFICER DEED

In the matter of the ESTATE OF STEVEN S. HOTH, deceased
now pending in the Iowa District Court
in and for Des Moines County. Probate No. ESPR006324

Pursuant to the authority and power vested in the undersigned, and in consideration of one dollar and other valuable consideration, the undersigned, in the representative capacity designated below, hereby conveys to JOELLEN MALY HOTH, TRUSTEE OF THE STEVEN S. HOTH MARITAL TRUST CREATED UNDER THE LAST WILL AND TESTAMENT OF STEVE S. HOTH EXECUTED MARCH 16, 2012, the following described real estate in Delaware County, Iowa,

See Exhibit "A" attached hereto and incorporated herein by reference (pages 2-5),

together with and subject to easements, covenants, conditions and restrictions of record.

This deed represents a transfer of real estate being a distribution to a beneficiary under a will, without additional consideration, and is therefore exempt from transfer tax pursuant to Iowa Code Section 428A.2(20 and 21), and for the same reason is exempt from the requirements of a declaration of value and a groundwater hazard statement.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Dated: 4-11, 2019

JoEllen Maly Hoth Executor
JoEllen Maly Hoth, Executor of the
ESTATE OF STEVEN S. HOTH, deceased

STATE OF IOWA, COUNTY OF DES MOINES, ss:

This instrument was acknowledged before me on the 11 day of April, 2019, by JoEllen Maly Hoth, Executor of the ESTATE OF STEVEN S. HOTH, deceased.

Jill NMS
Notary Public in and for said State

My Commission Expires: 11-29-19

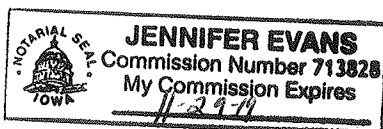


EXHIBIT "A"
LEGAL DESCRIPTION

The South $\frac{1}{2}$ of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22-90N-6W, Delaware County, Iowa;

AND

The E $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28-90N-6W, Delaware County, Iowa, EXCEPT that part of said ten acres heretofore sold for railroad purposes and more particularly described in a Deed recorded in the Office of the Recorder of Deeds of Delaware County, Iowa, in Book 34 on Page 371 containing 6.71 acres more or less;

AND

The West 2 rods of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 16-90N-6W, Delaware County, Iowa, being a tract of land two rods East and West and forty rods North and South, lying along the West end of the aforesaid North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 16;

AND

The East $\frac{12}{40}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4-90N-6W, Delaware County, Iowa;

AND

North $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9-90N-6W, Delaware County, Iowa;

AND

The S $\frac{1}{2}$ of the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15-90N-6W, Delaware County, Iowa, subject to roadways;

AND

The W $\frac{1}{2}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16-90N-6W, Delaware County, Iowa, subject to roadways;

AND

The W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 24-90N-6W, Delaware County, Iowa, according to the Government Survey and Returns, EXCEPTING Two acres in the NW corner thereof deeded for cemetery purposes. Commencing at a point 144 East from the quarter post between Sections 13 and 24, Township 90 North, Range 6 West thence running South 125 feet; thence West 144 feet; thence South 139 feet; thence East 264 feet; thence North 264 feet; thence West to the place or beginning, all located in Richland Township, and all that part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying south of road, EXCEPTING the East 8 acres thereof, all in Section 13-90N-6W, containing 97.5 acres, located in Delaware County, Iowa, and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24-90N-6W, Delaware County, Iowa, containing 20 acres;

AND

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13-90N-6W, and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12-90N-6W, Delaware County, Iowa;

AND

All that part of the W $\frac{1}{4}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying South of highway, all being in Section 15-90N-6W, Delaware County, Iowa;

AND

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9-90N-6W, Delaware County, Iowa;

AND

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, EXCEPT that part conveyed to Delaware County for highway be deed recorded in Book 36, L.D., Page 381, and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the South 30 acres of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, all in Section 21-90N-6W, Delaware County, Iowa, EXCEPT that part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 21 described as commencing at the SE corner of said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and running thence North 520.44 feet; thence North 89°06' West 152.72 feet; thence North 00°10'22" East 469.89 feet; thence North 88°50' West 272.78 feet; thence South 990.76 feet to the South line of said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence South 88°59' East along said South line 424.07 feet to the point of beginning;

AND

An undivided one-half interest in and to:

That part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27-90N-6W, lying W-ly of the West line of Center Street, and lying between lines parallel with and distant 100 feet N-ly and 100 feet S-ly, measured at right angles and radially, from the center line of the main track (now removed) of the Minnesota and North Western Railroad Company (later the Chicago Great Western Railway company, now the Chicago and North Western Transportation Company), as said main track centerline was originally located and established over and across said Section 27, EXCEPTING THEREFROM, Parcel E being a part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27, and Parcel F being a part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section, as described in the plat recorded in Book 8 Plats, Page 8, of the records of the Delaware County, Iowa, Recorder.

AND

An undivided one-half interest in and to:

That part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28-90N-6W, bounded and described as follows: Beginning at a point on the East line of said Section 28, distant 150 feet S-ly, measured radially, from the center line of the main track (now removed) of the of the Minnesota and North Western Railroad Company (later the Chicago Great Western Railway company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 28; thence W-ly and NW-ly parallel with said original main track center line a distance of 510 feet, more or less, to a point on a line drawn radially to said center line of a point thereon distant 494 feet NW-ly from the intersection thereof with the East line of said Section 28; thence NE-ly along said last described radial line a distance of 35 feet, more or less, to a point on the South line of the NE $\frac{1}{4}$ of said Section 28; thence W-ly along said South line a distance of 165 feet, more or less, to a point on the West line of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 28; thence N-ly along said West line a distance of 30 feet, more or less, to a point distant 150 feet SW-ly, measured at right angles from said original main track centerline; thence NW-ly parallel with said centerline a distance of 340 feet, more or less, to a point drawn at right angles to said center line at a point thereon distant 994 feet NW-ly from the intersection thereof with the East line of said Section 28; thence NE-ly along said last described right angle line a distance of 100 feet; thence NW-ly parallel with and distant 50 feet SW-ly measured at right angles from said center line, a distance of 425 feet, more or less, to a point on the West line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 28; thence N-ly along said West line a distance of 107 feet, more or less, to a point distance 50 feet NE-ly, measured at right angles, from said original main track center line; thence SE-ly parallel with said center line a distance of 475 feet, more or less to a point on a line drawn at right angles to said center line at a point thereon distant 994 feet NW-ly, from the intersection thereof with the East line of said Section 28; thence NE-ly along said last described right angle line a distance of 50 feet; thence

SE-ly parallel with and distant 100 feet NE-ly, measured at right angles and radially from said center line, a distance of 495 feet, more or less, to a point on a line drawn radially to said center line at point thereon distant 494 feet NW-ly from the intersection thereof with the East line of said Section 28; thence SW-ly along said last described radial line a distance of 25 feet; thence SE-ly parallel with and distant 75 feet NE-ly, measured radially from said center line, a distance of 435 feet, more or less, to a point on the East line of said Section 28; thence S-ly along said East line a distance of 101 feet, more or less, to the point of beginning, all in Section 28-90N-6W; A strip of land 100 feet in width extending over and across the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28 -90N-6W, Delaware County, Iowa, said strip of land being 50 feet in width on each side of said original main track center line;

AND

An undivided one-half interest in and to:

That part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28-90N-6W, Delaware County, Iowa, lying NE-ly of the NE-ly line of a public road known as Delaware and County Corners Road;

AND

An undivided one-half interest in and to:

A strip of land 100 feet in width extending over and across the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28-90N-6W, Delaware County, Iowa, said strip of land being 50 feet in width on each side of said original main track center line;

AND

An undivided one-half interest in and to:

The W $7\frac{1}{2}$ acres of the N $\frac{3}{8}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$; and all that part of the W $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying South of the highway, all being in Section 15-90N-6W, Delaware County, Iowa;

AND

An undivided one-half interest in and to:

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the West 2.66 acres of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ except the West 2 rods of the North 40 rods thereof, and also except that part described as commencing at a point 23 feet East of the SW corner of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence West 23 feet to the SW corner of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence North 23 feet; thence SE to the place of beginning; the West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ excepting a strip one rod wide off from the West side thereof; and the East $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, all being in Section 16-90N-6W, Delaware County, Iowa;

AND

An undivided one-half interest in and to:

The S $\frac{1}{2}$ of the W $\frac{1}{10}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the E $\frac{1}{4}$ of the S $\frac{1}{2}$ of the West $\frac{2}{7}$ of the East $\frac{7}{20}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17-90N-6W, Delaware County, Iowa, (said tract also described as part of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying South of the creek running through said tract and also having been described a part of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ being one-half acre);

AND

An undivided one-half interest in and to:

The E $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21-90N-6W, Delaware County, Iowa;

AND

An undivided one-half interest in and to:

The West $\frac{7}{8}$ of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$; the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; the North $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; the South 5 acres of the North 15 acres of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$; and a tract described as commencing at the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence East 51 rods; thence South $31 \frac{158}{725}$ rods; thence West 41 rods; thence South $48 \frac{567}{725}$ rods, thence West 10 rods; thence North to the beginning, all being in Section 22-90N-6W, Delaware County, Iowa;

AND

An undivided one-half interest in and to:

The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27-90N-6W, Delaware County, Iowa;

AND

An undivided one-half interest in and to:

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; and all that part of the W $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ which lies North of the railroad right of way of the Chicago, Great Western Railway, all being in Section 28-90N-6W, Delaware County, Iowa