

Recorded: 9/13/2023 at 10:53:50.0 AM
County Recording Fee: \$32.00
Iowa E-Filing Fee: \$3.60
Combined Fee: \$35.60
Revenue Tax: \$0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2252

Prepared by: Paul P. 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: JDK Acres, LLC: 337 Durango Drive, Marion, IA 52302

TRUSTEE WARRANTY DEED

For the consideration of one dollar and other valuable consideration, LAURIE J. SMITH, AS SUCCESSOR TRUSTEE OF THE SHIRLEE A. BAER LIVING TRUST NO. 1, does hereby convey to KELLY J. MARTIN, JAY M. SMITH and DAVID A. SMITH, as tenants in common, the following described real estate in Delaware County, Iowa:

See Exhibit "A" attached hereto and incorporated herein by reference (page 2),

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

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.

This deed represents a transfer of real estate, being a distribution from a trust without additional consideration and is therefore exempt from transfer tax pursuant to Iowa Code Section 428A.2(20), 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 the acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

Dated: Sept 8th, 2023

Laurie J. Smith
LAURIE J. SMITH, SUCCESSOR TRUSTEE OF THE SHIRLEE
A. BAER LIVING TRUST NO. 1

STATE OF IOWA, COUNTY OF LINN, ss:

This instrument was acknowledged before me this 8th day of September, 2023 by LAURIE J. SMITH, AS SUCCESSOR TRUSTEE OF THE SHIRLEE A. BAER LIVING TRUST NO. 1.

Heather Cook
Notary Public in and for said State
My Commission Expires: 11-11-2024



EXHIBIT "A"
LEGAL DESCRIPTION

That part of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Seventeen (17) lying West of Railroad right-of-way; the Northeast Quarter (NE1/4) of Section Nineteen (19); the Southeast Quarter (SE1/4) of Section Eighteen (18); and that part of the Northwest Quarter (NW1/4) of Section Twenty (20) lying West of Railroad right-of-way; all of the above being in Township Eighty-Nine (89) North, Range Four (4) West of the Fifth Principal Meridian, Delaware County, Iowa, EXCEPT the Southwest Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter, all in Section 18; and the Northwest Quarter of the Northeast Quarter of Section 19; and the Southwest Quarter of the Northeast Quarter of Section 19; all situated in Township 89 North, Range 4 West of the 5th P.M., County of Delaware, State of Iowa