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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

✓ Return to:

Prepared by: Marlyn S. Jensen
2225 Robin Street
Osceola, Iowa 50213-8208

Grantee address: 24576 15th Avenue
New Virginia, IA 50210

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That **Frank Kirk, a single person**, in consideration of the sum of one dollar and other valuable consideration in hand paid does hereby Convey unto **Frank Kirk and Terry Kirk Garner, as joint tenants with full rights of survivorship and not as tenants in common**, Grantee's address being 24576 15th Avenue, New Virginia 50210, the following described real estate situated in Madison, Clarke and Warren Counties, Iowa, to-wit:

The Southeast One-Fourth of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-Six (36), Township Seventy-Four (74) North, Range Twenty-Six (26) West of the 5th P.M., Madison County, Iowa,

And

That portion of the following described real property which is West of the Eastern boundary of the said property and East of the fence that currently runs near the Eastern boundary of said property:

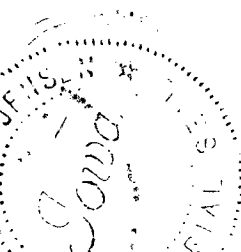
The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section One (1), Township Seventy-Three (73) North, Range Twenty-Six (26) West of the 5th P.M., in Clarke County, Iowa,

And

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-Six (36), Township Seventy-Four (74) North, Range Twenty-Six (26) West of the 5th P.M., in Madison County, Iowa,

Which portion consists of approximately Four (4) acres.

This stems from a partition originally accomplished to settle a dispute as to the location of the boundaries of abutting property owners by effectively placing the boundary at the existing fence line,



And

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section One (1), Township Seventy-Three (73) North, Range Twenty-Six (26) West of the 5th P.M., and all that part of the Northwest One-Quarter of the Northwest One-Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Six (6), Township Seventy-Three (73) North, Range Twenty-Five (25) West of the 5th P.M. lying West of the Federal Interstate 35, Clarke County, Iowa,

And

A strip of land 25 feet in width and approximately 240 rods in length, situated parallel with and immediately adjacent to the West right-of-way line of Interstate Route .02 and also known as Federal Highway No. 35 as now located in the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-One (31), Township Seventy-Four (74) North, Range Twenty-Five (25) West of the 5th P.M., **subject to** the right of previous grantors, their successors and assigns to use said strip of land as a means of ingress and egress to and from all that portion of the Northwest Quarter (NW $\frac{1}{4}$) and all that portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section, Township, and Range, lying West of said Federal Highway as now located, Warren County, Iowa,

And

Also the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-One (31), Township Seventy-Four (74) North, Range Twenty-Five (25) West of the 5th P.M., **except** that portion previously conveyed for highway purposes, Warren County, Iowa.

This Warranty Deed is **subject to a Real Estate Contract** dated September 24, 2003, of record in the Office of the Recorder, in Madison County at Book 2004, Page 2271; in Clarke County at Book 93, Page 334; and in Warren County at Book 2004, Page 3608.

The foregoing is **subject to** applicable easements, leases and restrictions of record, if any.

The foregoing is **subject to** an agreement with Betty Green made on December 13, 1989, who at such time owned abutting property (a part of Section 1, Township Seventy-Three (73) North, Range Twenty-Six (26) West of the 5th P.M.) and the subject of which agreement concerns duties of the owners and their successors and assigns for respective maintenance and repair of drainage tiles.

This is an intra-family transfer. No declaration of value form is required. No groundwater hazard statement is required, there is no dwelling upon this property and this transfer is exempt from septic requirements, it involving a person in the lineal line of consanguinity. No transfer tax is required.

And the grantor does Hereby Covenant with the said grantee, and successors in interest, that said grantor holds said real estate by title in fee simple; that he has good and lawful authority to sell and convey the same; that said premises are Free and Clear of all Liens and Encumbrances Whatsoever except as may be above stated; and said grantor Covenants to Warrant and Defend the said premises.

against the lawful claims of all persons whomsoever, except as may be above stated.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the described premises.

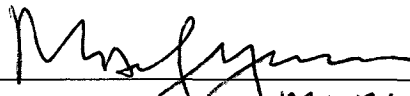
Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Signed this 14 day of June, 2012.A.D.


Frank Kirk

STATE OF IOWA)
) SS:
COUNTY OF WARREN)

On this 14 day of June, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Frank Kirk, a single person**, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same same as his voluntary act and deed.


NOTARY PUBLIC. MARLYN S. JENSEN

EXECUTED IN TRIPLICATE.

