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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK



TRUSTEE SPECIAL WARRANTY DEED

THE IOWA STATE BAR ASSOCIATION

Official Form No. 108

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Claire B. Patin, 106 East Salem Ave, PO Box 215, Indianola, IA 50125

Phone: (515) 961-2574

Taxpayer Information: (Name and complete address)

Yare, LLC

PO Box 1150, Hudson, New York 12534

☒ **Return Document To:** (Name and complete address)

Claire B. Patin, 106 East Salem Ave, PO Box 215, Indianola, IA 50125

Grantors:

Stephen F. Breimer

Trustee of the Survivor's Trust
under the Philip and Patricia Barry
Family Trust dated May 6, 1998

Grantees:

Yare, LLC

Legal description: See Pages 4 - 7

Document or instrument number of previously recorded documents:



TRUSTEE SPECIAL WARRANTY DEED

(~~Inter Vivos Trust~~)

For the consideration of One ----- Dollar(s) and
 other valuable consideration, Stephen F. Breimer
(Trustee) (~~Co-Trustees~~)
 of the Survivor's Trust under the Philip and Patricia Barry Family Trust dated May 6, 1998
 does hereby convey to Yare, LLC, a New York limited liability company,
 the following described
 real estate in Madison County, Iowa:

See Addendum

Subject to easements and covenants of record

No actual consideration

The grantor does hereby covenant with grantees, and successors in interest, to warrant and defend the real estate against the lawful claims of all persons claiming by, through or under grantor, 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.

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

Dated November 6, 2018.

Stephen F. Breimer
 Stephen F. Breimer
 As (Trustee) (~~Co-Trustee~~) of
 the above-entitled trust

As (Trustee) (Co-Trustee) of
 the above-entitled trust

CAVEAT: The trustee/grantor should consult with their lawyer concerning the trustee's personal liability arising out of the warranties contained herein.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles }

On November 6, 2018 before me, Lisa Beth Summerfield Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Stephen F. Breimer
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

ADDENDUM

An undivided $\frac{1}{2}$ interest in the following:

Land in Section Twelve (12), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa:

The Southeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$); the East Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$); the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$), subject to public highways; and the North Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) EXCEPT that part thereof lying South and West of Middle River; AND all that part of the East $26 \frac{2}{3}$ rods of the South Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) which lies North and East of Middle River; AND all that part of the West $26 \frac{2}{3}$ rods of the East $53 \frac{1}{3}$ rods of the South 120 rods of the East Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) which lies North and East of the middle of the main channel of Middle River and estimated to contain $2 \frac{3}{4}$ acres, more or less

Land in Section Six (6), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa:

The South Half ($\frac{1}{2}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$); the Southwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$), and all that part of the South Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and of the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) lying West of the old abandoned public highway; AND a tract of land commencing 627.7 feet West of the Southeast corner of the Southwest Quarter ($\frac{1}{4}$) of Section Six (6), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, and running thence West on the section line 447.8 feet, thence North $8^{\circ}59'$ East 476.1 feet, thence North $9^{\circ}39'$ West 876.9 feet, thence North $1^{\circ}11'$ East to the intersection of the West line of Public Highway #169, thence South $16^{\circ}44'$ East along the West line of said highway approximately 1685.7 feet to the point of beginning, EXCEPT a tract condemned for highway purposes described as follows: Commencing at a point on the West line of said highway 207.4 feet Northerly from the Southeast corner of the above-described tract, and running thence South $73^{\circ}16'$ West 9.5 feet, thence Southwesterly along a 253.5 foot radius curve central angle 20° concave Southerly 88.7 feet, thence South $53^{\circ}16'$ West 189.1 feet to the South line of said section, thence West 110.4 feet, thence North $53^{\circ}16'$ East 277.5 feet, thence Northeasterly along a 319.5 foot radius curve central angle 20° concave Southerly 111.8 feet, thence North $73^{\circ}16'$ East 9.5 feet, thence South $16^{\circ}44'$ East 66 feet to point of beginning and containing $\frac{1}{2}$ of an acre, more or less; AND EXCEPT a parcel of land situated in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Six (6) described as follows:

Commencing at the South Quarter ($\frac{1}{4}$) corner of said Section Six (6), thence West 627.7 feet along the South line of said Section Six (6), thence North $16^{\circ}44'$ West along the West right-of-way line of U. S. Highway No. 169 871.7 feet to the point of beginning, thence continuing North $16^{\circ}44'$ West along said West right-of-way line 219.0 feet, thence South $84^{\circ}55'$ West 164.8 feet, thence North $07^{\circ}47'$ West 44.2 feet,

thence South 86°49' West 161.8 feet, thence South 61°04' West 88.0 feet, thence South 00°42' East 99.0 feet, thence South 78°23' West 114.8 feet, thence South 41°52' East 162.1 feet, thence South 33°00' East 392.2 feet, thence North 78°14' East 112.7 feet, thence North 07°52' West 339.0 feet, thence North 82°37' East 198.4 feet to the point of beginning, containing 4.2409 acres exclusive of any public road right-of-way;

AND EXCEPT a tract located in the East Half (½) of the Southwest Quarter (¼) conveyed to Madison County, Iowa, in Deed Record 109, Page 25 on May 25, 1979 in the Office of the Recorder of Madison County, Iowa, more particularly described as follows:

Commencing at the South Quarter Corner of said Section Six (6), thence West 627.7 feet along the South line of said Section 6, thence North 16°44' West along the West right-of-way line of U. S. Highway No. 169 1090.7 feet to the point of beginning, thence South 84°55' West 164.8 feet, thence North 144 feet, thence West 30 feet, thence North 770 feet, thence East to the West right-of-way line of U. S. Highway No. 169, thence Southeasterly along the West right-of-way line of U. S. Highway No. 169 to the point of beginning.

Land in Section Seven (7), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa:

The North Half (½) of the Northwest Fractional Quarter (¼) of the Southwest Fractional Quarter (¼); the Southwest Fractional Quarter (¼) of the Northwest Fractional Quarter (¼); all that part of the North Fractional Half (½) of the Northwest Quarter (¼) lying West of the old abandoned public highway; all that part of the South Half (½) of the Northwest Quarter (¼) of the Southwest Quarter (¼) which lies North and West of Middle River, all that part of the North 21.25 rods of the Southwest Quarter (¼) of the Southwest Quarter (¼) which lies North and West of Middle River; AND a tract described as commencing at a point on the North line of the Northeast Quarter (¼) of the Northwest Quarter (¼) of said Section Seven, which is 665 feet West of the Northeast corner thereof, and running thence South, 33°40', West, 603.2 feet, thence South 33°32' West 294.6 feet, thence North 8°30' East 627.0 feet, thence North 53°24' East 209.0 feet to the North line of said Forty (40) acre tract, thence East on said North line 241.0 feet to the point of beginning; and the West 14 rods and 20 links of the Northwest Quarter (¼) of the Northeast Quarter (¼), excepting therefrom the North 20 rods and 7 links thereof; AND Lot 1 of the Northeast Quarter (¼) of the Northwest Fractional Quarter (¼) EXCEPT a tract described as follows: Commencing at the Northeast corner of said Northeast Quarter (¼) of the Northwest Fractional Quarter (¼), running thence South 330 feet, thence West 257.7 feet, thence North 50°45' West 357.7 feet, thence North 27° East 116.5 feet to the North line of said fractional 40 acre tract, thence East on said line 451.8 feet to the place of beginning; AND EXCEPT a tract described as follows: Commencing at a point 481 feet West of the Northeast corner of said Northeast Quarter (¼) of the Northwest Fractional Quarter (¼), thence South 39° West 594 feet, thence South 29° West 330 feet, thence South 41° East 330 feet, thence South 37° East 257.4 feet, thence East 135 feet, thence North 28° West 700 feet, thence North 25° East 230 feet, thence North 27° East 585 feet to the place of beginning; AND Lot 4 of the Southeast Quarter (¼) of the Northwest Fractional Quarter (¼); AND that part of Lot 5 of said Southeast Quarter (¼) of the Northwest Fractional Quarter (¼) described as follows: Commencing at a point on the

South line of said Lot 5, 45 rods West of the Southeast corner of said Northwest Fractional Quarter ($\frac{1}{4}$), running thence West along the South line thereof to the Southwest corner of said Lot 5, thence North 44° East 38 rods and 19 links, thence North 25° East 3 chains, thence in a Southerly direction to the place of beginning, and all that part of said Lot 5 West of the West line of said Lot 4 and East of the East line of Lot 3 of said Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) which lies North of the public highway; AND Lot 6 of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) and a tract containing 1 acre, being 8 rods North and South and 20 rods East and West in the Southeast corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$), EXCEPTING from said Lot 6 and said 1 acre tract a tract described as follows: Commencing at a point 33 feet West of the Northwest corner of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$), running thence South 120 feet, thence East 340 feet to the West line of the public highway, thence in a Northwesterly direction along the West line of said highway to a point where the West line of said highway joins the South line of the public highway running from the aforesaid highway in a Southwesterly direction, and thence from said junction point along the South line of said highway running in a Southwesterly direction to a point 170 feet North of the starting point and from thence South to the point of beginning; AND Lots 7 and 8 of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$); EXCEPTING from said Section 7 that part of said real estate conveyed to the State of Iowa for road purposes and for use as a public highway, more particularly described in the conveyance thereof which is recorded in Deed Record 57, Page 562, and containing 5.6 acres, more or less; AND EXCEPT land located in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Six (6), and in the Northeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Seven (7), containing 7.2443 acres as shown in Plat of Survey attached to the Warranty Deed filed in Deed Record 106, Page 363-365 on February 7, 1977, in the Office of the Recorder of Madison County, Iowa, described as follows:

Parcel "A" - Commencing at the South Quarter Corner of said Section Six (6), thence West 627.7 feet along the South line of said Section 6; thence North $16^{\circ}44'$ West along the Westerly right-of-way line of U. S. Highway 169 199.4 feet to the point of beginning; thence continuing thence North $16^{\circ}44'$ West along the West right-of-way line of U. S. Highway 169 672.3 feet; thence South $82^{\circ}37'$ West 198.4 feet; thence South $7^{\circ}52'$ East 339.0 feet; thence South $9^{\circ}05'$ West 602.8 feet; thence North $52^{\circ}43'$ East along the centerline of a county road right-of-way 481.8 feet; thence North $69^{\circ}13'$ East along the centerline of a county road right-of-way 59.5 feet to the point of beginning

Parcel "B" - Commencing at the South Quarter Corner of said Section Six (6), thence West along the South line of said Section 6 963.8 feet to a point on the centerline of a county road right-of-way; thence South $52^{\circ}43'$ West 201.4 feet to point of beginning; thence North $61^{\circ}09'$ West 252.0 feet; thence North $28^{\circ}17'$ East 431.1 feet; thence North $00^{\circ}43'$ East 70.0 feet; thence North $78^{\circ}14'$ East 112.7 feet; thence South $9^{\circ}05'$ West 602.8 feet to point of beginning.

Land in Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa:

The Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section One (1), in Township

Seventy-five (75) North, Range Twenty-eight (28), West of the 5th P.M., Madison County, Iowa, EXCEPT a tract described as follows: Commencing at the Southwest corner of said 40 acre tract, and running thence North 71 rods, thence East 20 feet, thence South 71 rods, thence West 20 feet to the place of beginning.