

BK: 2019 PG: 529
Recorded: 2/15/2019 at 8:45:41.0 AM
Pages 4
County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.41
Combined Fee: \$25.41
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa



INDIVIDUAL TRUSTEE'S AFFIDAVIT

THE IOWA STATE BAR ASSOCIATION
Official Form No. 113
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Brett T. Osborn, 974 73rd Street, Suite 16, West Des Moines, IA 50265, Phone: (515)
223-6000

Taxpayer Information: (Name and complete address)

Yare, LLC, P.O. Box 1150, Hudson, NY 12534

Return Document To: (Name and complete address)

Brett T. Osborn, 974 73rd Street, Suite 16, West Des Moines, IA 50265

Grantors:

Stephen F. Breimer, Trustee of the Survivor's Trust
under the Phillip and Patricia Barry Family Trust
dated May 6, 1998

Grantees:

Yare, LLC

Legal description: See Addendum

Document or instrument number of previously recorded documents:



INDIVIDUAL TRUSTEE'S AFFIDAVIT

RE: See 1 in Addendum

STATE OF _____, COUNTY OF _____, ss:

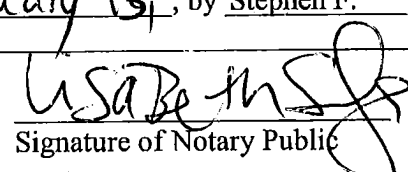
I, Stephen F. Breimer, being first duly sworn (or affirmed) under oath, state of my personal knowledge that:

1. I am the trustee under the Survivor's Trust under the Philip & Patricia Barry Family Trust dated May 6, 1998, to which the above-described real estate was conveyed to the trustee by Patricia W. Barry, an Unmarried Person, pursuant to an instrument recorded on April 30, 2008, in the office of the Madison County Recorder in Book 2008, Page 1371 (insert recording data).
2. I am the presently existing trustee under the Trust and I am authorized to See 2 in Addendum without any limitation or qualification whatsoever.
3. The Trust is in existence and I, as trustee, am authorized to transfer the interest in the real estate as described in paragraph 2, free and clear of any adverse claims.
4. The grantor of the trust ~~is~~ is not alive.
5. Form 706, United States Estate Tax return, is not * required to be filed as a result of the death of the Grantor.
6. An Iowa inheritance tax return is not required to be filed pursuant to section 450.22 subsection 2 and 3.
7. The trust is revocable or, if the trust is irrevocable, none of the beneficiaries of the trust are deceased.


Stephen F. Breimer, Affiant

Signed and sworn to (or affirmed) before me on February 13, 2019, by Stephen F. Breimer




Signature of Notary Public

***THE CORRECT OPTION MUST BE SELECTED TO DETERMINE WHETHER THE IOWA ESTATE TAX MAY CONSTITUTE A LIEN ON THE ABOVE DESCRIBED PROPERTY.**

Addendum 1/2

1. A tract of land located in the Northeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Seven (7), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows, to-wit: Commencing at a point on the North Line of the Northeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Seven (7), which is 665 feet West of the Northeast corner thereof, and running thence South $33^{\circ} 40'$ West, 603.2 feet, thence South $33^{\circ} 32'$ West 294.6 feet, thence North $8^{\circ} 30'$ East 627.0 feet, thence North $53^{\circ} 24'$ 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 a tract of land located in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Six (6), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows, to-wit: Commencing 627.7 feet West of the Southeast corner of the Southwest Quarter ($\frac{1}{4}$) of said Section Six (6), 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 the following-described tracts, to-wit:
 1. 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;
 2. A tract 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 $86^{\circ} 49'$ West 161.8 feet, thence South $61^{\circ} 04'$ West 88.0 feet, thence South $00^{\circ} 42'$ East 99.0 feet, thence South $78^{\circ} 23'$ West 114.8 feet, thence South $41^{\circ} 52'$ East 162.1 feet, thence South $33^{\circ} 00'$ East 392.2 feet, thence North $78^{\circ} 14'$ East 112.7 feet, thence North $07^{\circ} 52'$ West 339.0 feet, thence North $82^{\circ} 37'$ East 198.4 feet to the point of beginning, containing 4.2409 acres exclusive of any public road right of way;
 3. A tract located in the East Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) 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 Six (6), thence North $16^{\circ} 44'$ West along the West right-of-way line of U. S.

Addendum 2/2

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;

4. Parcel "A" located in the Southeast Quarter (¼) of the Southwest Quarter (¼) of said Section Six (6), and in the Northeast Quarter (¼) of the Northwest Quarter (¼) of said Section Seven (7), as shown in Plat of Survey attached to the Warranty Deed filed in Book 106, Page 363 on February 7, 1977 in the Office of the Recorder of Madison County, Iowa.

2. convey real estate to Yare, LLC and was authorized to do so on November 6, 2018. A Trustee Warranty Deed was filed on November 19, 2018 in Book 2018 at Page 3756 conveying the Real Estate to Yare, LLC. This affidavit is being given to demonstrate and to be in compliance with Iowa Code Section 614.14.