

Cover page for:

Preliminary Title Opinion
(with copies of recorded exception documents)

Preliminary Title Opinion prepared by:

Dillon Law, PC
(File Number: 2024-48)

Auction Tracts 2 – 8, pt. 9 & pt. 10
(Clayton County, Iowa)

For April 2, 2024 auction to be conducted by:
Schrader Real Estate and Auction Company, Inc.

On behalf of:
Shamrock Valley Properties, LLC

Phone: (563) 578-1850
Fax: (563) 578-1312
www.dillonlawpc.com

Dillon Law, PC

Please remit to:
 209 E. First St.
Sumner, IA 50674
 103 North Vine
West Union, IA 52175
 502 Washington St.
Volga City, IA 52077

Patrick B. Dillon • Jill A. Dillon
Tori A. Beyer
patdillon@dillonlawpc.com jill@dillonlawpc.com tori@dillonlawpc.com

March 20, 2024

Shamrock Valley Properties, LLC
14610 330th St.
Strawberry Point, IA 52076

Luke Schrader
Schrader Real Estate and Auction Co., Inc.
Via Email: luke@schraderauction.com

RE: Preliminary Title Opinion 2024-48

At your request I have examined Abstract of Title No. 55020 in one part, from the Clayton County Abstract Company, Inc. for the following described real estate in Clayton County, Iowa, to-wit:

The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), except commencing at the Northeast corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), running thence South along the East line 11 rods, thence West 2 rods, thence North 11 rods to the North line, thence East 2 rods to the place of beginning; the West one-half (W ½) of the Southwest Quarter (SW ¼); the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼); and the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼); all in Section Twenty-six (26);

Lot One (1) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) containing 4.90 acres, more or less; A parcel described as: commencing at the Southeast corner of said section, running thence North four and 02/100 (4.02) chains; thence West eight & 16/100 (8.16) chains; thence South four and 02/100 (4.02) chains; thence East on section line eight and 16/100 (8.16) chains to the place of beginning containing 3.0 acres, more or less; and Lot Two (2) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) containing 4.0 acres, more or less; all in Section Twenty-seven (27);

The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), the North One-half (N ½) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼); and the North One-half (N ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼); all in Section Thirty-four (34);

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼); the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼); Lot One (1) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) containing 2.5 acres, more or less; the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼); and Lot One (1) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) containing 36.2 acres, more or less; all in Section Thirty-five (35);

Lot One (1) of Lot One (1) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) containing 1.07 acres, more or less; in Section Thirty-six (36);

All being in Township Ninety-two (92) North, Range Six (6), West of the 5th P.M., in Clayton County, Iowa

which abstract has been continued to March 6, 2024, at 8:00 a.m. I find marketable record title thereto in **Shamrock Valley Properties, LLC**, subject to the following:

1. Mortgage. At entry no. 59 appears a mortgage from John R. Cantwell Jr. a/k/a John R. Cantwell and Tonia K. Cantwell, husband and wife, to Farm Credit Services of America, FLCA, Omaha, NE, which mortgage was dated January 10, 2005, and filed for record on January 10, 2005, as Instrument No. 2005R00125 of the records of the Clayton County Recorder. This mortgage was given to secure the sum of \$1,184,000.00 and is a first lien on the above described real estate.

Requirement: You are bound to take notice of the foregoing mortgage as it constitutes a lien upon the premises described herein. Obtain a release or satisfaction of this mortgage prior to taking title to the real estate.

2. Mortgage Modification. At entry no. 63 appears a mortgage modification for mortgage referenced in item No. 1 from John R. Cantwell Jr., a/k/a John R. Cantwell and Tonia K. Cantwell and Shamrock Valley Properties, LLC by John R. Cantwell, Manager, to Farm Credit Services of America, FLCA, which modification was dated January 4, 2022, and filed for record on January 4, 2022, as Instrument No. 2022R00049 of the records of the Clayton County Recorder. The amendment states the mortgage will be due January 1, 2052, and all other respects Instrument No. 2005R00125 remains in full force and effect.

Requirement: You are bound to take notice of the foregoing mortgage as it constitutes a lien upon the premises described herein. Obtain a release or satisfaction of this mortgage prior to taking title to the real estate.

3. Public Utilities Easement. At entry no. 27 appears an easement to Northern Natural Gas Company, a Delaware Company dated December 14, 1960, and Filed January 13, 1961, in Book 119, L.D., Page 222 of the records of the Clayton County Recorder. Easement reserved for the purposes of installing, constructing, reconstructing, repairing, maintaining, and operating pipe lines. You should examine this easement to determine its effect on your use of the real estate.

4. Highway Easement. At entry no. 32 appears an Easement for public highway to Clayton County, Iowa, dated October 18, 1976, and filed for record on October 19, 1976, in Book 137, L.D., Pages 179-180 of the records of the Clayton County Recorder. Easement conveys 0.10 acre, more or less, for highway purposes. You should examine this easement to determine its effect on your use of the real estate.

5. Highway Easement. At entry no. 33 appears an Easement for public highway to Clayton County, Iowa, dated October 18, 1976, and filed for record on October 19, 1976, in Book 137, L.D., Pages 177-178 of the records

of the Clayton County Recorder. Easement conveys 0.54 acre, more or less, for highway purposes. You should examine this easement to determine its effect on your use of the real estate.

6. Plat. At entry no. 13 appears a plat filed September 12, 1874, in Book 1, Plats, page 227 of the records of the Clayton County Recorder. You should review the plat and contemplate its impact on your proposed use of the real estate.

7. Plat. At entry no. 15 appears a plat filed March 10, 1880, in Book 2, Plats, page 24 of the records of the Clayton County Recorder. You should review the plat and contemplate its impact on your proposed use of the real estate.

8. Plat. At entry no. 17 appears a plat filed May 1, 1884, in Book 2, Plats, page 263 of the records of the Clayton County Recorder. You should review the plat and contemplate its impact on your proposed use of the real estate..

9. Plat. At entry no. 65 appears a plat filed November 17, 2008, in Book 31, Plats, page 69, Instrument No. 2008R03914 of the records of the Clayton County Recorder. You should review the plat and contemplate its impact on your proposed use of the real estate.

10. Ordinances and Regulations. Possession and enjoyment of the property under examination is subject to the following Ordinances and Regulations of Clayton County, Iowa:

At entry no. 41 appears the Zoning and Flood Plain Ordinance; and at entry no. 42 appears the Clayton County Soil Conservation Notice to The Public.

For the effect of these ordinances and regulations on the property, please refer to the records of the City Clerk in the case of city ordinances, the County Zoning Administrator in the case of county ordinances, and the County Sanitarian or the County Health Department in the case of health or sanitation ordinances.

11. Mechanic's Lien. At entry no. 67 appears a search of the Mechanics' Notice and Lien Registry for mechanic liens only, indexed against above property, and find none.

12. Real Estate Taxes. At entry no. 68 appears the real estate taxes for fiscal year 2022-2023 and payable 2023-2024, which are one-half paid.

Requirement: You are bound to take notice of the foregoing real estate taxes as they constitute a lien upon the real estate.

13. Sewage and Well Systems. You are advised that if the real estate uses a sewage disposal system or a well system or both, you may be subject to State DNR and county board of health rules. Compliance with these rules are not an impairment upon title and as such, are not within the scope of examination. You should undertake your own investigation to ensure that compliance is in order.

14. Caution. This opinion is subject to the other matters generally applicable to all title opinions. Since the following cannot be determined by examination of the abstract, your attention is called to the fact that you are required to take notice of the rights of all persons in possession of the real estate, other than the titleholder of record; any facts that would be disclosed by a survey; the right to file mechanic's liens against the premises for labor or materials furnished in connection with improvements thereon within ninety days from the furnishing of the last item; any

restrictions as to building, occupancy, or usage contained in applicable zoning or other city or county ordinances; special assessments not certified to the County Treasurer's office; liens for services provided by the city not certified to the County Treasurer; bankruptcy proceedings affecting the property commenced in a county other than the county in which the property is located; the existence of a property owners' association; the legality of condominium documents; the existence of hazardous wastes, underground storage tanks, drainage wells, and other environmentally regulated activities; and right of access to and from highways and streets which may be designated as "controlled access facilities" by state or city authorities.

You should also determine whether any solid wastes, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shown in the abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws. These laws may impose liens against the property and personal liability against the owner, even though the owner did nothing to create the condition, and acquired the property without knowing about it.

This title opinion includes all such matters of record shown in the abstract which have not become void or unenforceable under applicable statutes of limitation and the Iowa Title Standards, including but not limited to contracts, mortgages, assignments, liens, leases, assignments of rent, building setback lines, easements, restrictive covenants, leases and encumbrances, unpaid real estate taxes or assessments and all amendments to such documents up to and including the time of the last abstract certification by the participating abstractor.

This opinion is directed only to you and is intended solely for your use and purposes. No other persons are entitled to rely on this title opinion. If this is a preliminary opinion, I reserve the right to reexamine the Abstract of Title when recontinued before giving you my final opinion. A preliminary opinion is subject to my findings upon reexamination. My opinion is based solely upon an examination of the Abstract of Title and does not cover any matters outside of the Abstract of Title, even if such matters may be of public record.

15. Homestead Exemption. If you are planning to occupy the property, you should apply for the homestead exemption prior to July 1, 2024. Appropriate forms for filing may be obtained from the County Assessor's Office.

Regards.

Patrick B. Dillon
Iowa Title Guaranty Number 3722

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Inventory lists the following described real estate: Farm - The Northwest quarter of the Northwest quarter of section 35. The The Northeast quarter of the Northeast quarter, The North Half of the Northwest quarter of the Northeast quarter and the North half of the Southeast quarter of the Northeast quarter in Section 34. Also lot No. two (2) in the Southeast quarter of the Southeast quarter of Section 27. All in township 92 North Range 6 west of the 5th p.m. consisting of 124 acres more or less. Final Report approved May 1, 1950.

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EASEMENT

Louise Chappell, widow
to
Northern Natural Gas
Company, a Delaware
corporation

Dated December 14, 1960
Filed January 13, 1961
Consideration \$1.00 & other
Revenue Stamps affixed None.
Book 119, L.D., Page 222

GRANTS: Unto Northern Natural Gas Company, a Delaware corporation, its successors or assigns, the right, privilege and easement to construct, maintain and operate pipe lines, and appurtenances thereto, over and through the following described lands and appurtenances thereunto belonging, including riparian rights, situated in the County of Clayton and State of Iowa, to-wit:

The Northwest Quarter of the Northwest Quarter, (NW 1/4 NW 1/4), of Section 35, Township 92, and Range 6.

To have and to hold unto said Northern Natural Gas Company, its successors and assigns, so long as such pipe lines, and appurtenances thereto, shall be maintained, together with the right of ingress to and egress from said premises, for the purpose of constructing, inspecting, repairing, maintaining and replacing the property of the grantee located thereon, or the removal thereof, in whole or in part, at the will of the grantee; it being the intention of the parties hereto that grantor hereby granting the uses herein specified without divesting grantor of the rights to use and enjoy said above described premises, subject only to the right of the grantee to use the same for the purposes herein expressed.

As a further consideration for this grant, the grantee herein agrees as follows:

- (1) That it will bury all pipe laid upon said land to a sufficient depth so as not to interfere with the cultivation of the soil.
- (2) That it will pay to grantor any damages which may arise to growing crops, trees, shrubbery, fences or buildings from the construction, maintenance or operation of said pipe lines, said damages, if not mutually agreed upon, to be ascertained and determined by three disinterested persons, one of whom shall be appointed by the grantor, one by the grantee, and the third to be selected by the two appointed as aforesaid, and the written award of such three persons shall be final, conclusive and binding upon the parties hereto.
- (3) That grantee, upon written application by the grantor, will make, or cause to be made, a tap in any gas pipe line constructed by grantee upon the above described premises for the purpose of supplying gas to grantor for domestic purposes only and not for re-sale, and for use upon the above described premises only. All connections required, shall be furnished and paid for by Grantor with the exception of the meter, which is to be furnished and owned by the Grantee.

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Said tap will be provided by grantee from a convenient point on its main line or some lateral as the grantee may determine, and gas to be taken under this provision shall be measured and furnished to the grantor at the rates and upon the terms as may be established by grantee, or by any vendee of grantee, from time to time.

(4) That grantee will replace or rebuild to the satisfaction of grantor or of representative any and all damages parts of all drainage systems, the damage to which shall be occasioned by the construction of said pipe lines under and through the above described premises.

This instrument, and the covenants and agreements herein contained, shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

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REAL ESTATE CONTRACT

Louise Chappell, a
single person,
SELLER

to
Kenneth E. Kramer,
BUYER

Dated February 20, 1969
Filed September 29, 1970
Consideration \$28,000.00
Book 119, L.M., Pages 63-64

CONVEYS: The Northwest quarter of the Northwest quarter of Section 35; and the Northeast quarter of the Northeast quarter, the North half of the Northwest quarter of the Northeast quarter; and the North half of the Southeast quarter of the Northeast quarter, of Section 34; and Lot 2 of the Southeast quarter of the Southeast quarter of Section 27; all in Township 92 North, Range 6, West of the 5th P.M.

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ESTATE

In the Matter of the Estate
of
Louise Chappell, Deceased

In the District Court of
Clayton County, Iowa
Probate No. 13911
Probate Index HH, Page 282

LETTERS OF APPOINTMENT issued April 8, 1970, to Glenn Chappell, George H. Chappell and Joseph Eugene Chappell as Executors.

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

Dated this 23 day of August, 1971.

/s/ Glenn Chappell
Glenn Chappell
Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 23 day of August, 1971.

(seal)

/s/ A. C. Fliehler
A. C. Fliehler
Notary Public in and for
said County

MARGINAL ENTRY

STATE OF IOWA, COUNTY OF CLAYTON, ss:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit was filed in the said Recorder's Office by the owner in possession as named in said affidavit or by his attorney in fact as shown by the records; and duly recorded and entered on the records thereon on the 24 day of September, 1971.

(seal)

/s/ Bernice Carpenter
Recorder

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EASEMENT FOR PUBLIC HIGHWAY

Mary Kramer and Kenneth
E. Kramer
to
Clayton County, Iowa

Dated October 18, 1976
Filed October 19, 1976
Consideration \$42.70
Book 137, L.D., Pages 179-180

CONVEYS: For road purposes and for use as a Public Highway, the following described premises situated in the County of Clayton, State of Iowa, to-wit:

A parcel of land located in the SE 1/4 of SE 1/4 of Section 27, and the SW 1/4 of SW 1/4 of Section 26, T92N, R6W of the 5th P.M., Clayton County, Iowa, and lying on the left side of the following described centerline of Project L-188.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 8+00.0, a point on the south line of the SE 1/4 of SE 1/4 of Section 27, thence East 1100.0 feet to Sta. 19+00.0, a point on the South line of the SW 1/4 of SW 1/4 of Section 26, 462.0 feet east of the Southwest corner of the SW 1/4 of SW 1/4 of Section 26.

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Said parcel being described as follows: bounded on the South 1/4 of the South line of the SE 1/4 of SE 1/4 of Section 27 and the SW 1/4 of SW 1/4 of Section 27; bounded on the northerly side by a line commencing at a point on the property line to the north at Sta. 9+00.0, 40.0 feet normally distant northerly from centerline, thence easterly to a point 55.0 feet normally distant northerly from Sta. 10+00.0, thence to a point 40.0 feet normally distant northerly from Sta. 11+00.0, thence to a point 40.0 feet normally distant northerly from Sta. 14+00.0, thence to a point 60.0 feet normally distant northerly from Sta. 15+25.0, thence to a point 50.0 feet normally distant northerly from Sta. 16+00.0, thence to a point 40.0 feet normally distant northerly from Sta. 17+00.0, thence to a point 33.0 feet normally distant northerly from Sta. 18+00.0, thence to a line to the north at Sta. 9+00.0, 33.0 feet to the centerline of road; bounded on the west by the property

Said parcel of land contains 0.10 acre, more or less, exclusive of the present established road.

INSTRUMENT STATES GRANTOR AS: Mary Kramer.

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EASEMENT FOR PUBLIC HIGHWAY

Kenneth E. Kramer and Mary
Kramer

to
Clayton County, Iowa

Dated October 18, 1976
Filed October 19, 1976
Consideration \$230.58
Book 137, L.D., Pages 177-178

CONVEYS: For road purposes and for use as a Public Highway, the following described premises situated in the County of Clayton, State of Iowa, to-wit:

A parcel of land located in the NE 1/4 of NE 1/4 of Section 34, and the NW 1/4 of NW 1/4 of Section 35, T92N, R6W of the 5th P.M., Clayton County, Iowa, and lying on the right side of the following described centerline of Project L-188.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 8+00.0, a point on the north line of the NE 1/4 of NE 1/4 of Section 34, 682.0 feet east of the Northwest corner of the NE 1/4 of NE 1/4 of Sec. 34, thence east 1100.0 feet to Sta. 19+00.0, a point on the north line of the NW 1/4 of NW 1/4 of Sec. 35, 462.0 feet east of the northwest corner of the NW 1/4 of NW 1/4 of Section 35.

Said parcel being described as follows: bounded on the north of the NW 1/4 of NW 1/4 of Section 34 and the north line commencing at a point that is 33.0 feet normally distant southerly from Sta. 8+00.0, thence easterly to a point 40.0 feet normally distant southerly from Sta. 9+00.0, thence to a point 55.0 feet normally distant southerly from Sta. 10+00.0, thence to a point 40.0 feet normally distant southerly from Sta. 11+00.0, thence to a point 40.0 feet normally distant southerly from Sta. 12+50.0, thence to a point 50.0 feet normally distant southerly from Sta. 13+50.0, thence to a point 45.0 feet normally distant southerly from Sta. 14+00.0, thence to a point 70.0 feet normally distant southerly from Sta. 15+25.0, thence to a point 50.0 feet normally distant southerly from Sta. 16+00.0, thence to a point 50.0 feet normally distant southerly from Sta. 18+00.0, thence to a point 33.0 feet normally distant southerly from Sta. 19+00.0; bounded on the east and the west sides of the present road R.O.W.

Said parcel of land contains 0.54 acre, more or less, exclusive of the present established road.

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PATENT

United States
to
Bernard Hansen

Dated February 20, 1867
Filed February 1, 1972
Book 131, L.D., Pages 15-16

GRANTS: The East half of the North East quarter, and the South West quarter of the North East quarter of Section thirty five, in Township ninety two, of Range six West, in the District of lands formerly subject to sale at Dubuque, now Des Moines, Iowa, containing one hundred and twenty acres.

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PATENT

United States
to
William A. Simmons

Dated April 15, 1857
Filed September 24, 1921
Book 92, L.D., Page 23

GRANTS: The south west quarter of the north west quarter of section thirty six in township ninety two, north of range six west of the District of Lands subject to sale at Dubuque, Iowa.

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PLAT

Plat of Lot 1 in the SW 1/4 of
the NW 1/4 in Section 36, Township
92 North, Range 6, West of the
5th P.M.

Filed September 12, 1874
Book 1, Plats, Page 227
Certified Dec. 10, 1872, by
Henry L. Fitch, Surveyor
Acknowledged Dec. 10, 1872,
by W. A. Simmons

DESCRIPTION: Beginning at the N.E. corner of SE 1/4 NW 1/4 Section 36, Twp 92 Rng 6 West 5th P.M. thence West along the N. line of said forty 32 chains 75 links thence S 15°30'W 1 chain 7 links thence S 49°30' E 18 chains 59 links to centre of Elkader Road; thence N. 36°45'E along said road 7 chains 64 links, thence S 58° 15'E 16 chains 64 links to the East line of said NW 1/4 Section 36, thence North along said East line 14 chains 98 links to place of beginning containing 31 14/100 acres of land.

Also beginning at the SW corner of the NW 1/4 Sec. 36, thence East along the South line of said NW 1/4 2.00 chains thence N. 15°30'E 20 chains 74 links thence West along the forty line 7 chains 50 links to the West line of said NW 1/4; thence South along said West line 20 chains 6 links to place of beginning containing 9 54/100 acres.

(SEE PLAT ON FOLLOWING PAGE)

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PLAT

Plat of Lot 1 in the SE 1/4 of
the SE 1/4 of Section 27, Township
92 North, Range 6, West of the
5th P.M.

Filed March 10, 1880
Book 2, Plats, Page 24
Certified March 26, 1879
by Charles Schecker, Surveyor

DESCRIPTION: Beginning 4.02 chains North of the South East
corner of section No. 27 Twp. No. 92 Rng 6, Thence North 6.00 chains to
stone, Thence West 8.16 chains to a stone, Thence South 6.00 chains to a
stone and Thence East 8.16 chains to beginning containing 4.90 acres.

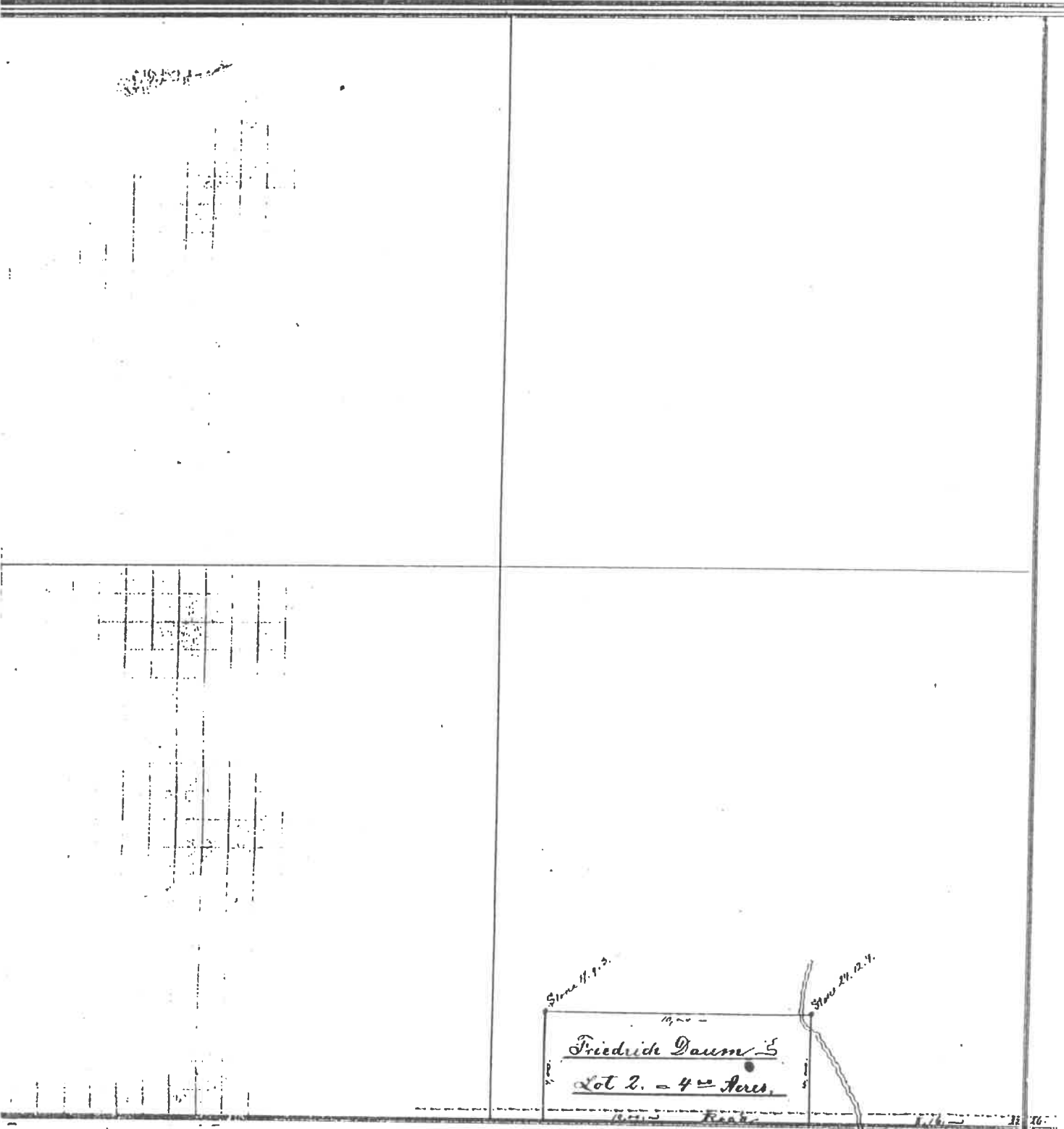


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PLAT

Plat of Lot 2 in the SE 1/4 of
the SE 1/4 of Section 27, Township
92 North, Range 6, West of the
5th P.M.

Filed May 1, 1884
Book 2, Plats, Page 263
Certified March 27, 1879,
by Charles Schecker, Surveyor

DESCRIPTION: Beginning 8.16 Chains West of the South East
Corner of Section 27, in Twp. 92, Rng. 6 thence West along the Line in
Centre of Road 10.00 Chains, thence North 4.00 Chains to a stone, thence
East 10.00 chains to stone and thence South 4.00 Chains to beginning,
containing 4 00/100 Acres.



22 26
BY 28

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The Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); Lot One (1) of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4); the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4); and Lot One (1) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4); The Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4); all in Section Thirty-five (35);

Lot One (1) of Lot One (1) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section Thirty-six (36);

All being in Township Ninety-two (92) North, Range Six (6), West of the 5th P.M., in Clayton County, Iowa.

INSTRUMENT STATES: Exemption No. 11.

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PLAT

Plat of Lot 1 in the NW 1/4
of the NE 1/4 of Section 35,
Township 92 North, Range 6,
West of the 5th P.M.

Filed November 17, 2008
Book 31, Plats, Page 69
Instrument No. 2008R03914
Filed November 17, 2008, in
Auditor's Office

CERTIFICATE OF SURVEY: I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

/s/ Roger R. Mohn

Roger R. Mohn

License Number 10165

My license renewal date is December 31, 2008

Date November 1, 2008

I (We) John R. Cantwell of Clayton County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent and in accordance with my (our) desire.

/s/ John R. Cantwell

/s/ Tonia Cantwell

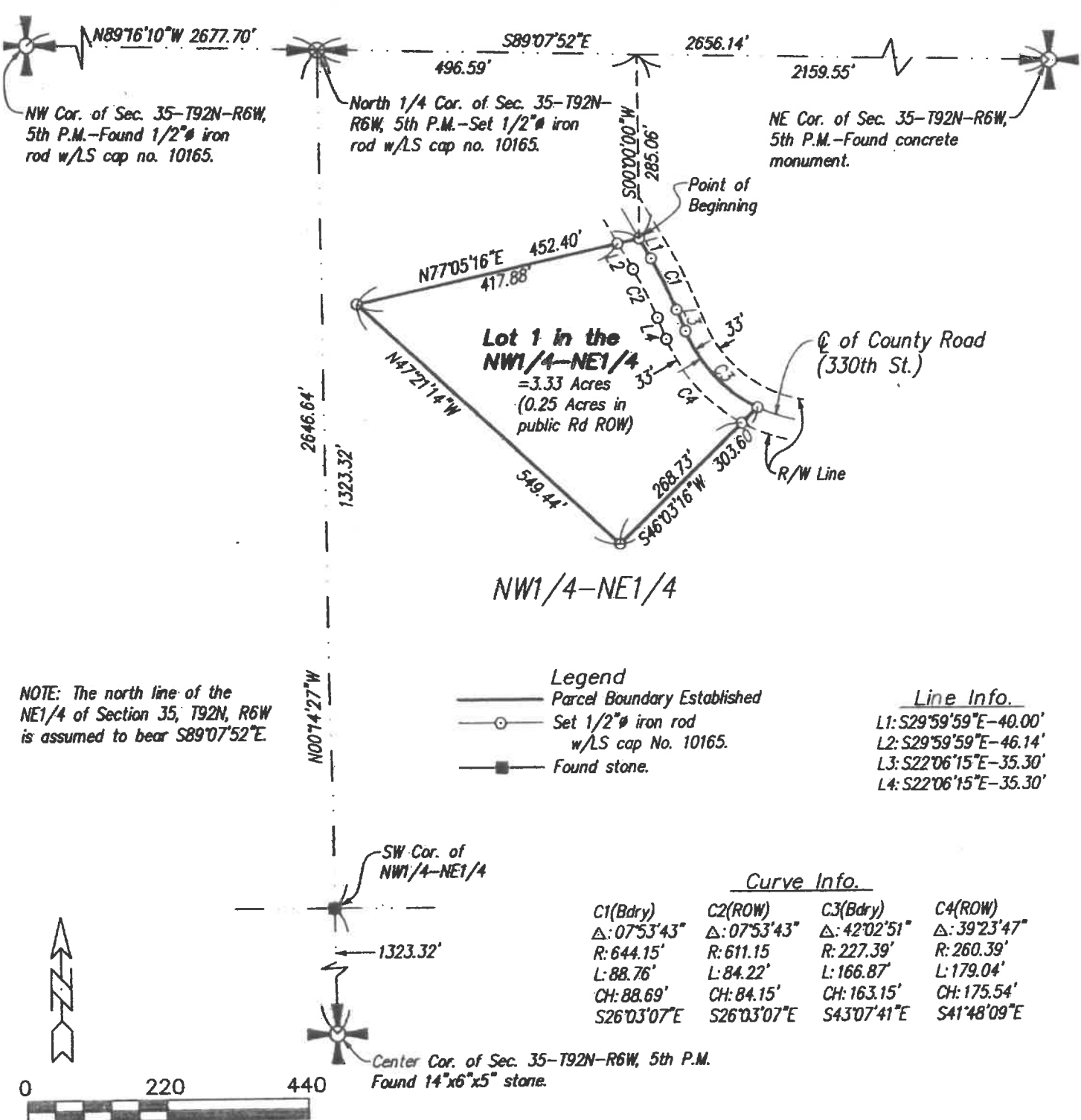
PLAT OF SURVEY OF:

Lot One (1) in the Northwest Quarter of the Northeast Quarter (NW 1/4 - NE 1/4) of Section Thirty-five (35), Township Ninety-two (92) North, Range Six (6) West of the Fifth Principal Meridian, Clayton County, Iowa, containing 3.33 acres, more or less, and more particularly described by metes and bounds as follows:

Commencing at the North 1/4 Corner of Section 35, Township 92 North, Range 6 West of the 5th P.M.; thence S 89°-07'-52" E, 496.59 feet along the north line of the NE 1/4 of said Section 35; thence S 00°-00'-00" W, 285.06 feet to the Point of Beginning; thence S 29°-59'-59" E, 40.00 feet along the approximate centerline of a county road; thence 88.76 feet foot radius curve concave southwesterly with a central angle of 7°-53'-43" and a long chord which bears S 26°-03'-07" E, 88.69 feet; thence S 22°-06'-15" E, 35.30 feet along the approximate centerline of a county road; thence 166.87 feet along the approximate centerline of a county road which is along a 227.39 foot radius curve concave northeasterly with a central angle of 42°-02'-51" and a long chord which bears S 43°-07'-41" E, 163.15 feet; thence S 46°-03'-16" W, 303.60 feet; thence N 47°-21'-14" W, 549.44 feet; thence N 77°-05'-16" E, 452.40 feet to the Point of Beginning. Said described parcel contains 3.33 acres, more or less.

-65-continued

The north line of the NE 1/4 of Section 35, T92N, R6W is assumed to bear S 89°-07'-52" E as per GPS observations.



NOTE: The north line of the NE1/4 of Section 35, T92N, R6W is assumed to bear S89°07'52"E.

Proprietor(s):
John R. Cantwell
Survey requested by:
John R. Cantwell

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The monies to be paid by Respondent to Petitioner shall be paid within 30 days following the auction of the parties' farm, or within 30 days of the filing of this Supplemental Decree, whichever period is greater.

The parties shall execute all necessary documents and take all action necessary to accomplish the asset and debt distributions made herein as soon as possible.

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ZONING AND FLOOD PLAIN

Notice is hereby given that the real estate herein abstracted, may be subject to either County or City Zoning, and for National Flood Insurance. Current status of the district must be determined by reference to the records of the County Zoning Administrator, the City Clerk, or your insurance agent.

ABTRACTER'S COMMENT: Showing of the zoning classification and the plat of the current Flood Boundaries and flood way are omitted, due to the manner in which the records are kept and the changes and variances granted by the County Zoning Commission, the City Council, and the United States Department of Housing and Urban Development Federal Insurance Administration.

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NOTICE OF FILING

On September 9, 1992, a Notice was recorded in Book 39, Misc., Page 639, stating that the Clayton Soil and Water Conservation District has adopted a soil and water resource conservation plan which was approved by the State Soil Conservation Committee and signed by the director of the Division of Soil Conservation on June 25, 1991. The plan is available for inspection during normal business hours, Monday - Friday, 8:00 a.m. - 4:00 p.m., at the district office located at 117 Gunder Road Northeast, Elkader, Iowa. This notice is given pursuant to the requirements of Iowa Code Section 467A.7(20)(b)(1991), and House File 2112, 74th G.A., 2nd Sess., Section 1 (Iowa 1992), or as subsequently amended.