

COMPARED

13065

CORRECTIVE SPECIAL WARRANTY DEED

The following is a correction to the Special Warranty Deed recorded at Book 93, Page 17597 of the Pottawattamie County Records:

KNOW ALL MEN BY THESE PRESENTS: That Daniel F. Nolan and Clemencia Nolan, husband and wife; Barbara Nolan Wagner and Frank J. Wagner, wife and husband; Richard Joseph Nolan and Jean O. Nolan, husband and wife; Nolan Children's Trust, (Agreement of 12/24/82) Frances Nolan, Trustee for the benefit of Martin C. Nolan, Patricia M. Nolan and Frances Nolan; Katherine Nolan Calacci and Benjamin J. Calacci; and Frances Nolan Kensinger and Timothy A. Kensinger, wife and husband, in consideration of the sum of One Dollar and other valuable consideration in hand paid do hereby Convey unto Schwertley Pioneer Trust, James Schwertley, Trustee the following described real estate situated in Pottawattamie County, Iowa, to-wit:

All of the SE 1/4 of the NE 1/4; all of Government Lot 1 in the NE 1/4 of the NE 1/4 of Section 2, T77N-R45W containing 65.3 ac m/l.

The west 5 acres of Accretion Lot 15 in the SE 1/4 of the SE 1/4; Accretion Lot 13 and Accretion Lot 14 in the SW 1/4 of the SE 1/4; the E 1/2 of the E 1/2 of the SE 1/4 of the SW 1/4, including parts of Government Lot 5 and Accretion Lot 8 all in Section 11, containing 55 ac m/l.

All of the 17.0 acre tract in Accretions to Lot 10, and the south 4.3 acres of the 7.3 acre tract in Accretion Lot 10 west of the south 1769.12 foot segment of the surveyed occupation line (see exhibit B) which commences at the NE corner of Section 13, thence westerly 1552.23 feet, thence southwesterly 791.96 feet, thence southeasterly 1685.97 feet thence southerly 2845.38 feet to the bank of the Missouri river, these parcels being part of the NE 1/4 and SE 1/4 of the SE 1/4; the south 10.2 acres of Accretion Lot 11 in the NW 1/4 of the SE 1/4; Accretions to Lot 11 in the NW 1/4 and SW 1/4 of the SE 1/4; Accretion Lot 12 and Accretions to Lot 12 in the NE 1/4 and SE 1/4 of the SW 1/4; Accretions to Lot 5 in the NW 1/4 of the SW 1/4; the south 28.9 acres of Accretion Lot 6 in the SW 1/4 of the NW 1/4; the W 1/2 of the SE 1/4 of the NW 1/4 and a 7.5 acre triangular tract west of the drainage ditch in the W 3/4 of the E 1/2 of the SE 1/4 of the NW 1/4, being parts of Accretion Lot 7 and Accretions to Lot 7; all in Section 13, T77N-R45W containing 212.3 ac m/l.

Accretion Lot 2 in the NW 1/4 of the NE 1/4, Lot 7 and Accretions in the SW 1/4 of the NE 1/4, and Lot 8 and Accretions in the SE 1/4 of the NE 1/4 of Section 14, T77N-R45W, containing 104.5 ac m/l.

All of the above described real estate consists of 436.8 acres more or less in Sections 2, 11, 13, and 14 of T77N-R45W (W 1/2 Rockford Township), Pottawattamie County, Iowa and the above described parcels retain rights of access and drainage in and through Sections 2, 10, 11, 12, 13, 14, and 15 as they presently exist 33' on either side of the center line on the now extant farm roads and 33' on either side of the drainage thread line of ditches, together with all road

Entered for Taxation
MAR 18 1934
COUNTY AUDITOR
George J. Stuebe

94-36775

Filed for record, indexed, and delivered to the county auditor
this 17 day of MARCH
A. D. 1934, at 9:11 A. M., and
recorded in Book 93 page 30776
Rec. fee \$ 20.00, Aud. Fee \$ 20.00 paid

John Scirtino Recorder
George Stuebe Deputy

and utility easements and irrigation equipment overhangs; said roads, ditches, overhangs, and boundaries are shown on the appended Exhibit A map.

The dominant and/or subservient owners of both roads and ditches have the right to maintain said roads/ditches at their own expense to assure their rights of usage; and the owner shall not maintain or operate any road or ditch in a manner that is detrimental to any other owner. The owner and successors of any affected lands shall have the right to protect against or remedy damage arising out of any change in the dike along the east and north bank of the Missouri river.

And the Grantors do Hereby Covenant with the said Grantees and successors in interest to Warrant and Defend the said premises against the lawful claims of all persons claiming by, through or under them, except as may be above stated.

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

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

Signed this 17 day of November, 1997.

Daniel F. Nolan
Daniel F. Nolan

Clemencia Nolan
Clemencia Nolan

Barbara Nolan Wagner
Barbara Nolan Wagner

Frank J. Wagner
Frank J. Wagner

Richard Joseph Nolan
Richard Joseph Nolan

Jean O. Nolan
Jean O. Nolan

Katherine Nolan Calacci
Katherine Nolan Calacci

Benjamin J. Calacci
Benjamin J. Calacci

Frances Nolan Kensinger
Frances Nolan Kensinger

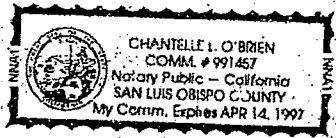
94-36777

UNRECORDED

STATE OF CALIFORNIA)
) SS:
COUNTY OF SAN LUIS OBISPO)

On the 10 day of JANUARY, 1994, before me, the undersigned, a Notary Public in and for the State of California, personally appeared Frances Nolan Kensinger and Timothy A. Kensinger, wife and husband, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Chantelle J. O'Brien
Notary Public in and for the State of California



84-30779