

Abstract of Title

to the following described lands situated in the County of Crawford and State of Iowa, to-wit:

Lot One (1) of the Southeast Quarter of the Southeast Quarter (SE¹/₄ SW¹/₄) of Section Eighteen (18), Township Eighty-two (82) North, Range Thirty-nine (39) West of the Fifth Principal Meridian, Crawford County, Iowa, as described in Plat of Survey recorded as Instrument #2008-2645.



2230 V Avenue
Dow City, Iowa 51528



No. 9191

**Abstract of Title
to real estate described as:**

Lot One (1) of the Southeast Quarter of the Southeast Quarter (SE¹/₄ SW¹/₄) of Section Eighteen (18), Township Eighty-two (82) North, Range Thirty-nine (39) West of the Fifth Principal Meridian, Crawford County, Iowa, as described in Plat of Survey recorded as Instrument #2008-2645.

No. 1 **Notice is hereby given** that this abstract is prepared pursuant to Sections 614.29 through 614.38 of the Code of Iowa, Chapter 11 of the Iowa Land Title Examination Standards of the Iowa State Bar Association and the Abstracting Standards of the Iowa Land Title Association. All matters of record prior to the date of record of the root of title are omitted herefrom except:

1. Plats and surveys
 2. Easements
 3. Party wall and other boundary line agreements
 4. Unexpired recorded leases
-

No. 2 **JOINT WARRANTY DEED \$11,800.00**

John F. Beam and Ella Beam, husband and wife

to

Herman Kahl and Hattie Kahl, husband and wife, as Joint Tenants with Full Rights of Survivorship

Dated February 17, 1951

Filed February 17, 1951 in Book 57, Page 43

CONVEYS real estate described in caption hereof and other real estate.

No. 3 **WARRANTY DEED \$1.00 AND O.V.C.**

Herman Kahl, also known as Herman Kahl, Sr., and wife, Hattie Kahl

to

Herman Kahl, Sr., and wife, Hattie Kahl

Continuation of Entry No. 3

Dated January 10, 1967

Filed January 23, 1967 in Book 68, Page 301

CONVEYS real estate described in caption hereof and other real estate.

No. 4 RURAL ZONING

Passed May 20, 1976 by the Crawford County Board of Supervisors

The Official Zoning Map is on record in the office of the Crawford County Assessor and also at crawfordia.mygisonline.com. Real estate herein abstracted is subject to county zoning. The current status of the district must be determined by reference to the records of the Zoning Administrator.

No. 5 STATEMENT & NOTICE TO PUBLIC OF EXISTENCE OF COST-SHARING AGREEMENTS

Crawford County Soil Conservation District, by Chairman

to

The Public

Dated April 16, 1981

Filed April 20, 1981 as Instrument #81-845

STATES that certain real estate in Crawford County, Iowa, may be subject to the soil conservation practice refund provided for in Chapter 467A.7(16), Code of Iowa, as amended by Laws of the 68th G.A., 1980 Sess., ch. 1153. §3. Does not describe any real estate.

No. 6 WARRANTY DEED \$1.00 AND O.V.C.

Herman Kahl, Sr., and wife, Hattie Kahl

to

Hattie Kahl

Dated January 5, 1982

Filed January 5, 1982 as Instrument #82-23

Continuation of Entry No. 6

CONVEYS real estate described in caption hereof and other real estate.

**No. 7 THE IOWA DISTRICT COURT FOR CRAWFORD COUNTY: PROBATE CASE #ESPR0011815
IN THE MATTER OF THE ESTATE OF HERMAN KAHL, DECEASED**

Herman Kahl died on September 15, 1984, testate, a resident of Crawford County, Iowa, survived by his spouse, Hattie Kahl.

SCHEDULE G lists real estate described in caption hereof and other real estate transferred to Hattie Kahl, surviving spouse, on January 5, 1982.

AFFIDAVIT of R. L. Bendixon, M.D. attached to inventory states that he is the family physician of Herman Kahl, Sr. and for a period of approximately eight years examined him on a regular basis. Further states that his medical records show that in January of 1982, Mr. Kahl's health was good and there was no indication of any illness or other physical ailments which would cause Mr. Kahl to have any reason to believe that he should not live for many years in the future. Further states that the illness that resulted in his death began only two or three months before his death.

**No. 8 THE IOWA DISTRICT COURT FOR CRAWFORD COUNTY: PROBATE CASE #ESPR012937
IN THE MATTER OF THE ESTATE OF HATTIE KAHL, DECEASED**

Hattie Kahl died on October 9, 1990, testate, domiciled in Crawford County, Iowa, with no surviving spouse.

WILL admitted to probate provides as follows:

4. Subject to the foregoing, I hereby give, will, devise and bequeath a life estate to my husband, Herman Kahl, in all of the real estate which I may own at the time of my death for his use and benefit during his lifetime, he to have, collect and use the rents, profits and income thereof. I hereby give, will, devise and bequeath the remainder interest in real estate described in caption hereof and other real estate.
5. Subject to the foregoing, I hereby give, will, devise and bequeath all of the rest, residue and remainder of my property, both real and personal and wherever situated, to my husband, Herman Kahl, said property to be his absolutely.
6. Subject to the foregoing and in the event that my husband, Herman Kahl, predeceases me or dies simultaneously with me, I hereby make the following specific bequests:
 - A. The remainder interest in real estate described in caption hereof to Dorothy Hulsebus of Dow City, Iowa.

Continuation of Entry No. 8

INVENTORY filed January 22, 1991 lists real estate described in caption hereof and other real estate.

ORDER APPROVING FINAL REPORT filed August 27, 1991 approving the Final Report and closing the Estate.

No. 9 REPORT OF CHANGE OF TITLE

In the Matter of the Estate of Hattie Kahl, deceased, Probate No. ESPR012937
Iowa District Court for Crawford County, by Clerk (Seal)

to

The County Auditor/Recorder of Crawford County, Iowa

Dated August 27, 1991
Filed August 28, 1991 as Instrument #91-2063

CERTIFIES title to the real estate described in caption hereof and other real estate has been changed and established in Dorothy Hulsebus.

No. 10 REAL ESTATE CONTRACT \$50,800.00

Dorothy I. Hulsebus, an unremarried widow

to

Kenneth V. Kahl and Edith K. Kahl, husband and wife

Dated January 31, 1992
Filed January 31, 1992 as Instrument #92-0206

CONVEYS real estate described in caption hereof and other real estate.

No. 11 SOIL AND WATER RESOURCE CONSERVATION PLAN

Crawford County Soil and Water Conservation District, by Chairman

to

The Public

Dated August 10, 1992

Filed August 10, 1992 as Instrument #92-2051

STATES, in part, that the Crawford County 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. 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. Does not describe any real estate.

No. 12 WARRANTY DEED-JOINT TENANCY \$50,800.00 and O.V.C.

Dorathy I. Hulsebus, an unremarried widow

to

Kenneth V. Kahl and Edith K. Kahl, husband and wife, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common

Dated January 31, 1992

Filed April 13, 2000 as Instrument #2000-0927

CONVEYS real estate described in caption hereof and other real estate.

Deed states, "This deed is given in satisfaction of a certain Real Estate Contract executed by the above named parties dated January 31, 1992, and recorded in the Office of the Recorder of Crawford County, Iowa, on January 31, 1992 as Document #92-0206" (Entry No. 10).

**No. 13 THE IOWA DISTRICT COURT FOR CRAWFORD COUNTY: PROBATE CASE #ESPR013983
IN THE MATTER OF THE ESTATE OF KENNETH V. KAHL, DECEASED**

Kenneth V. Kahl died on January 25, 1998, testate, domiciled in Crawford County, Iowa, survived by his spouse, Edith K. Kahl.

Continuation of Entry No. 13

WILL admitted to probate provides on February 17, 1998 as follows:

2. Subject to the foregoing, I hereby give, will, devise and bequeath all of my property, both real and personal and wherever situated, unto my wife, Edith K. Kahl, said property to be hers absolutely.

4. I hereby grant unto my executor the power to sell and convert into money any and all of my real or personal property on such terms and conditions that my executor may deem advisable without the necessity of appraisal, bond, order of court or notice to any person.

INVENTORY filed June 9, 1998 states that no Federal Estate Tax Return will be filed, that children were born to decedent after execution of the Will, and that decedent left a surviving spouse, and shows beneficiaries as follows:

Edith K. Kahl, age 45 (Spouse)

Aaron Kahl, age 19 (Son)

Kenneth Kahl, Jr., age 15 (Son)

Schedule A lists an undivided one-half interest in real estate described in caption hereof and other real estate.

ORDER APPROVING FINAL REPORT filed November 2, 1998 approving final report, closing estate, and ordering that the Clerk of this court certify change of title to real estate described in caption hereof and other real estate to Edith K. Kahl.

No. 14 REPORT OF CHANGE OF TITLE

In the Matter of the Estate of Kenneth V. Kahl, deceased, Probate No. ESPR013983
Iowa District Court for Crawford County, by Clerk (Seal)

to

The Auditor/Recorder of Crawford County, Iowa

Dated November 3, 1998

Filed November 4, 1998 as Instrument #98-3237

CERTIFIES title to an undivided 50% interest in the real estate described in caption hereof and other real estate has been changed and established in Edith K. Kahl.

No. 15 PLAT OF SURVEY

J.E. Spangenberg, PLS

to

The Public

Dated September 17, 2008

Filed September 18, 2008 as Instrument #2008-2645

DESCRIBES real estate described in caption hereof (See copy attached as "Exhibit A").

No. 16 WARRANTY DEED \$0.00

Edith K. Kahl, a single person

to

Kenneth N. Kahl

Dated December 22, 2008

Filed December 24, 2008 as Instrument #2008-3428

CONVEYS real estate described in caption hereof.

No. 17 OPEN-END MORTGAGE \$64,000.00

Kenneth N. Kahl, as a single person

to

United Bank of Iowa

Dated June 18, 2009

Filed June 22, 2009 as Instrument #2009-1677

ENCUMBERS real estate described in caption hereof.

Secures credit in the amount of \$64,000.00, evidenced by a Promissory Note in the amount of \$64,000.00 dated June 18, 2009.

No. 18 MORTGAGE \$64,000.00

Kenneth N. Kahl, as a single person

to

United Bank of Iowa

Dated July 30, 2010

Filed July 30, 2010 as Instrument #2010-1599

ENCUMBERS real estate described in caption hereof.

Secures payment of \$64,000.00 evidenced by promissory note which provides for regular Periodic Payments to pay the debt in full not later than August 1, 2040.

No. 19 RELEASE OF REAL ESTATE MORTGAGE

United Bank of Iowa, by President & CEO and by SR. V.P./Retail Banking (Seal)

to

Kenneth N. Kahl, as a single person

Dated August 3, 2010

Filed August 5, 2010 as Instrument #2010-1640

RELEASES Mortgage recorded as Instrument #2009-1677 (Entry No. 17).

No. 20 MORTGAGE \$64,700.00

Kenneth N. Kahl, as a single person

to

United Bank of Iowa

Dated July 5, 2012

Filed July 5, 2012 as Instrument #2012-1467

ENCUMBERS real estate described in the caption hereof.

Secures payment of \$64,700.00 evidenced by promissory note which provides for regular Periodic Payments to pay the debt in full not later than August 1, 2032.

Continuation of Entry No. 20

Contains clause for Transfer of the Property or a Beneficial Interest in Borrower.

Contains Acceleration clause.

Homestead Exemption Waiver is signed by Kenneth N. Kahl, dated July 5, 2012.

States in the event of foreclosure, redemption period shall conform to the provisions of Section 628.26 and 628.27 of the Code of Iowa.

No. 21 RELEASE OF REAL ESTATE MORTGAGE

United Bank of Iowa, by President & CEO and by SR. V.P./Retail Banking (Seal)

to

Kenneth N. Kahl, as a single person

Dated July 10, 2012

Filed July 11, 2012 as Instrument #2012-1509

RELEASES Mortgage recorded as Instrument #2010-1599 (Entry No. 18).

No. 22 OPEN-END REAL ESTATE MORTGAGE \$15,000.00

Kenneth N. Kahl, as a single person

to

United Bank of Iowa

Dated November 15, 2012

Filed November 16, 2012 as Instrument #2012-2666

ENCUMBERS real estate described in caption hereof.

Secures credit of \$15,000.00, evidenced by an operating Line of Credit for \$7,500.00 to Crawford County Abstract, LLC.

Loans and advances up to this amount, together with interest, are senior to indebtedness to other creditors under subsequently recorded or filed mortgages and liens.

Contains Due on Sale or Encumbrance clause.

Mortgagor agrees that in the event of foreclosure of this Mortgage, at the sole discretion of Lender, Lender may elect to reduce the period of redemption for the sale of the Property to a period of time as may then be authorized under the circumstances and under any section of Iowa Code

Continuation of Entry No. 22

Chapter 628, or any other Iowa Code section, now in effect or as may be in effect at the time of foreclosure.

Fixture filing: Mortgagor grants to Lender a security interest in all goods that Mortgagor owns now or in the future and that are or will become fixtures related to the Property.

Crops; timber; minerals; rents, issues and profits: Mortgagor grants to Lender a security interest in all crops, timber and minerals located on the Property as well as all rents, issues and profits of them including, but not limited to, all Conservation Reserve Program (CRP) and Payments in Kind (PIK) payments and similar governmental programs (all of which shall also be included in the term "Property").

Personal property: Mortgagor grants to Lender a security interest in all personal property located on or connected with the Property. This security interest includes all farm products, inventory, equipment, accounts, documents, instruments, chattel paper, general intangibles, and all other items of personal property Mortgagor owns now or in the future and that are used or useful in the construction, ownership, operation, management, or maintenance of the Property. The term "personal property" specifically excludes that property described as "household goods" secured in connection with a "consumer" loan as those terms are defined in applicable federal regulations governing unfair and deceptive credit practices.

Filing as a financing statement: Mortgagor agrees and acknowledges that this Mortgage also suffices as a financing statement and as such, may be filed of record as a financing statement for purposes of Article 9 of the Uniform Commercial Code. A carbon, photographic, image or other reproduction of this Mortgage is sufficient as a financing statement.

Line of credit: The Secured Debt includes a revolving line of credit provision. Although the Secured Debt may be reduced to a zero balance, this Mortgage will remain in effect until released.

Homestead Exemption Waiver is signed by Kenneth N. Kahl, dated November 15, 2012.

No. 23 COMMERCIAL REAL ESTATE MORTGAGE \$26,064.00

Kenneth N. Kahl

to

Region XII Development Corporation, Inc.

Dated June 13, 2014

Filed June 17, 2014 as Instrument #2014-1208

ENCUMBERS real estate described in caption hereof.

Secures credit of \$26,064.00, evidenced by a Mortgage Note dated June 13, 2014 in the principal amount of \$26,064.00 with a due date of June 15, 2024, any renewals, extensions, modifications or refinancing thereof and any notes issued in substitution therefore.

Continuation of Entry No. 23

Loans and advances up to this amount, together with interest, are senior to indebtedness to other creditors under subsequently recorded or filed mortgages and liens. This Mortgage also secures necessary advances for protection of the security, interest and costs.

Shortened Redemption Period. Mortgagor hereby agrees that in the event of judicial foreclosure of this Mortgage, the Mortgagee may, at its sole option, elect:

- a. Pursuant to Iowa Code § 628.26 to reduce the period of redemption after sale on foreclosure to six months, or
 - b. Pursuant to Iowa Code § 628.27 to reduce the period of redemption after sale on foreclosure to sixty days, or
 - c. Pursuant to Iowa Code § 628.28 or any other Iowa Code Section to reduce the period of redemption after sale on foreclosure to such time as may be then applicable and provided by law, or
 - d. Pursuant to Iowa Code § 654.20 to foreclose without redemption.
-

No. 24 **TAXES** are all paid, EXCEPT as hereinafter shown:

Real Estate: All paid (Fiscal Year 2017)
Parcel No. 1818300006
Personal: None
Special assessments: None
Total assessed value: \$106,520.00 (Fiscal Year 2019)
Assessed class: Residential
Rural zoning district: A-1 Agriculture

No. 25 **MECHANICS' NOTICE AND LIEN REGISTRY**

We have made a search of the Mechanics' Notice and Lien Registry maintained by the Iowa Secretary of State for Crawford County, Iowa, for Mechanic Lien(s) only, indexed against real estate described in caption hereof and the record owners listed in the Certificate, and find: None.

No. 26 **MORTGAGE RELEASE NOTES**

We have conducted a search of the Crawford County public records and we find no releases for the Mortgages at Entries 20, 22, and 23.

CERTIFICATE

The undersigned hereby certifies that the foregoing constitutes a correct Abstract of Title to the real estate described in caption hereof.

This Abstract of Title consists of entries numbered **1** through **26**.

We have searched the public records of Crawford County, Iowa from **Original Entry** to **Root of Title** as to the following matters:

1. Plats and survey
2. Easement
3. Party wall and other boundary line agreements
4. Unexpired recorded leases

We have searched the public records of Crawford County, Iowa from **Root of Title** to **July 16, 2019 at 8:00 a.m.** as to all matters affecting title to real estate.

Acknowledgments are in approved form unless otherwise shown.

We have conducted personal lien searches for the following:

Edith K. Kahl to December 24, 2008
Kenneth N. Kahl

We have made every effort to deliver this Abstract of Title to its designated recipient expediently, with concise and accurate abstraction of the public records of Crawford County, Iowa.

Dated at Denison, Iowa, on **July 16 2019 at 8:00 a.m.**

Crawford County Abstract, LLC

Crawford County's *only* Certified Title Plant!

Ken Kahl, Jr., Owner Title Guaranty No. 8120
©2019 Crawford County Abstract, LLC



No. 9191

INDEXED mg/mc
 FOLLOW UP _____
 PROOFED _____
 SCANNED _____

Crawford County Recorder
 Denise Meeves
Fee Book 2008-2645

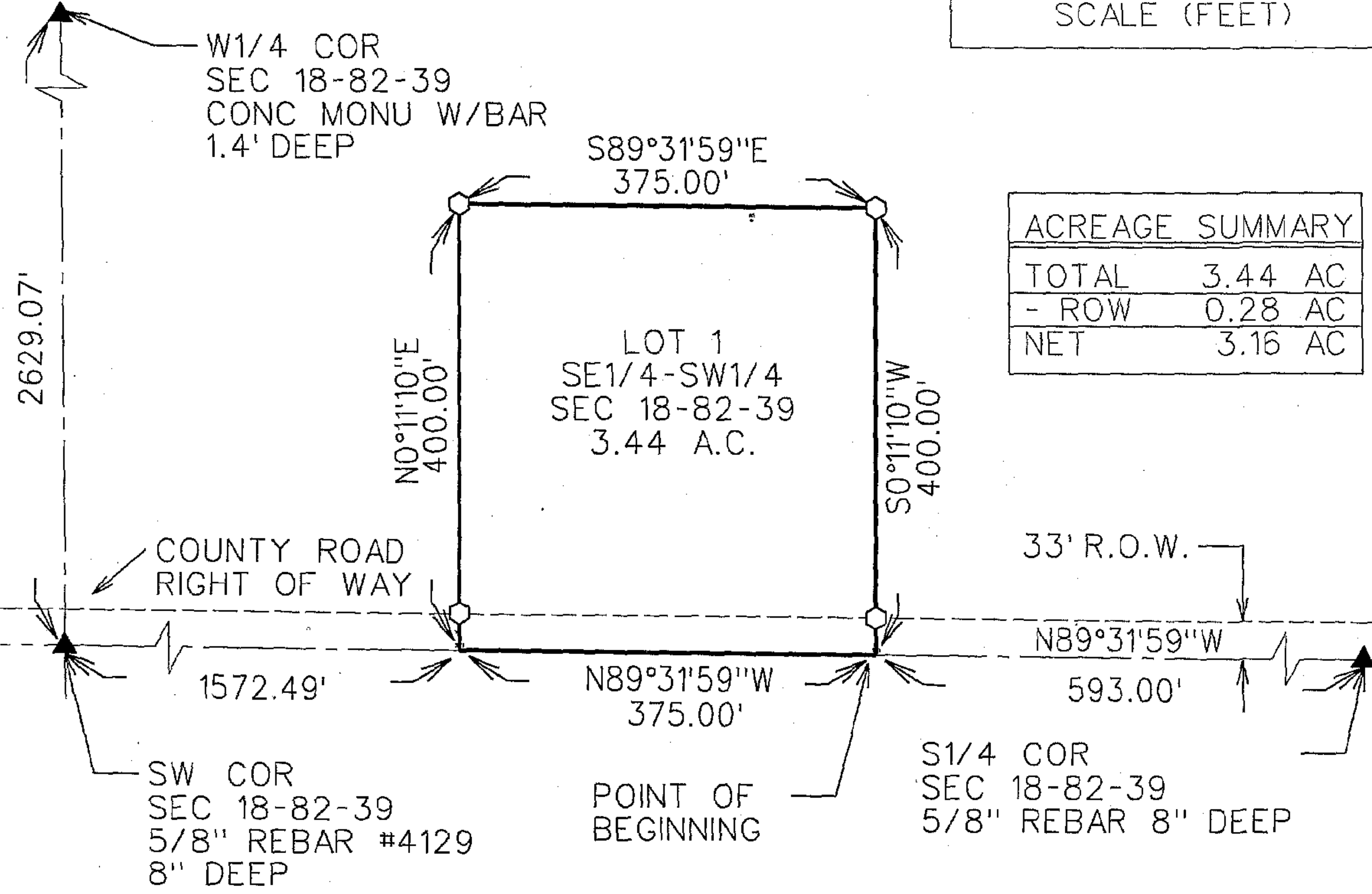
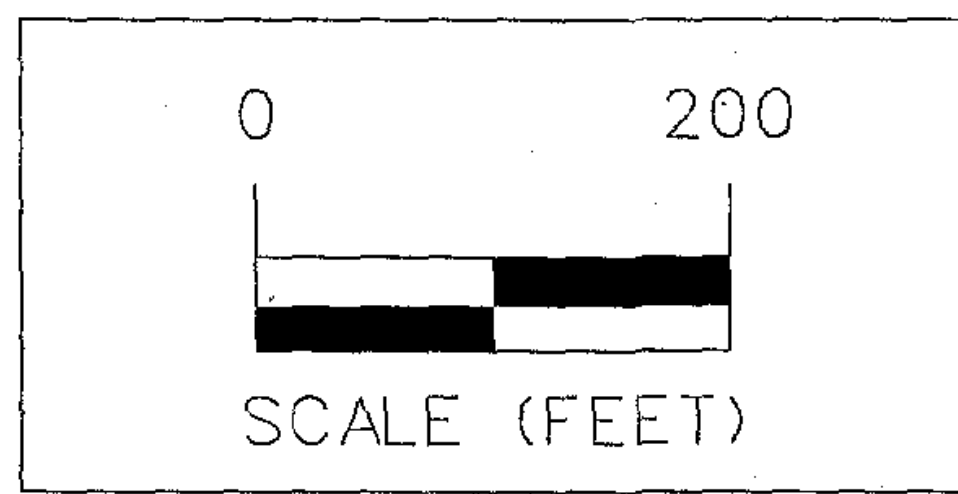
09/18/2008 @10:34AM
 PLS SURVEY PLAT # Pages: 1
 Book: Page: \$7.00
 Total Fees:

Book 14 / Page 98

PREPARED BY: J.E. SPANGENBERG, SNYDER & ASSOCIATES, INC., 1800 WEST 22ND ST. SUITE 200, ATLANTIC, IA 50022 (712)243-6505

RETURN TO: J.E. SPANGENBERG, SNYDER & ASSOCIATES, INC., 1800 WEST 22ND ST. SUITE 200, ATLANTIC, IA 50022 (712)243-6505

PLAT OF SURVEY



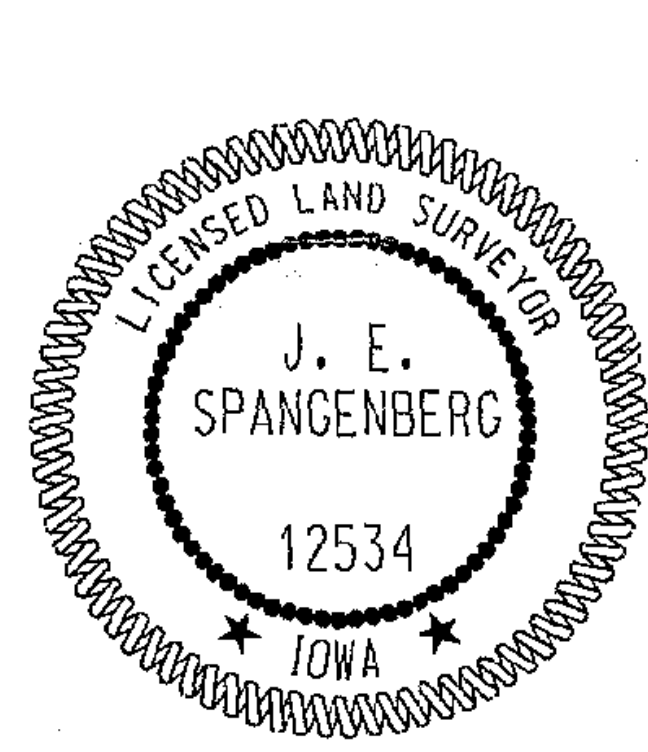
ACREAGE SUMMARY	
TOTAL	3.44 AC
- ROW	0.28 AC
NET	3.16 AC

LEGAL DESCRIPTION: LOT 1, SE1/4-SW1/4, SEC 18-82-39

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 82 NORTH, RANGE 39 WEST OF THE 5TH P.M., CRAWFORD COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE S1/4 CORNER OF SEC 18-82-39; THENCE N89°31'59"W, ALONG THE SOUTH LINE OF THE SW1/4 OF SAID SECTION 18, A DISTANCE OF 593.00 FEET TO THE POINT OF BEGINNING; THENCE N89°31'59"W, ALONG SAID SOUTH LINE, 375.00 FEET; THENCE N0°11'10"E, 400.00 FEET; THENCE S89°31'59"E, 375.00 FEET; THENCE S0°11'10"W, 400.00 FEET TO THE POINT OF BEGINNING. CONTAINING 3.44 ACRES, INCLUDING COUNTY ROAD RIGHT OF WAY AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY: 7-17-08
 OWNER: KENNETH V. KAHL & EDITH K KAHL
 SURVEY REQ'D BY: KEN KAHL



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

J.E. Spangenberg 9-17-08
 J. E. Spangenberg, PLS Date
 License Number 12534
 My License Renewal Date is December 31, 2008
 Pages or sheets covered by this seal:
 Sheet 1

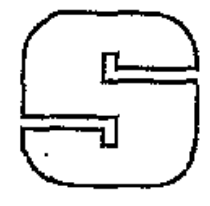
LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Orange Cap # 12534 (Unless Otherwise Noted)	●	○
Section Line	---	---

KAHL SURVEY

PLAT OF SURVEY

CRAWFORD COUNTY, IOWA



SNYDER & ASSOCIATES
 Engineers and Planners

1800 WEST 22ND STREET - SUITE 200
 ATLANTIC, IA 50022 (712) 243-6505

SHEET 1 OF 1
PN: 1080679
FN: A-
DATE: 09/04/08
TECH: KJH