

11. REAL ESTATE

Real estate is a term that encompasses land along with anything permanently attached to it, such as buildings, fences, landscaping, and growing crops. Real estate is often considered synonymous with real property or simply, realty. This term is often used in contrast with personal property (also sometimes called chattel or personalty). In civil law jurisdictions such as Louisiana and Quebec real estate or real property may be referred to as immovable property.

An estate in land is an interest in real property that has become possessory. This should be distinguished from an “estate” as used in reference to an area of land and “estate” as used to refer to property in general.

The rights and interests associated with an estate in land may be understood as a “bundle of rights” because of the potential for different parties having different interests, simultaneously, in the same real property. The rights of ownership to real property are often pictured as a “bundle of sticks.” Each stick represents a “right” of ownership. One stick might represent possession, another, a claim to satisfy a debt as in a lien, yet another, an easement for a utility line, and still another, a license to enter and exit. Accordingly a husband and wife can be owners of real property subject to a mortgage and a mechanics lien. Their neighbor could have an easement for a road to a nearby plot of land. Constitutionally, the state and federal government always hold the right to condemnation (eminent domain) and government at various levels retains regulatory rights such as environmental regulation, zoning, and building codes. In the United States, ultimately no owner ever holds the fullest possible bundle of rights.

Estates in land can be divided into four basic categories:

1. Freehold Estate which connotes rights of ownership
 - a. fee simple
 - b. life estate
2. Leasehold Estate meaning rights of possession and use but not ownership where the owner/landlord give this right to the lessee/tenant.
3. Statutory Estates are those created by law
 - a. community property
 - b. homestead
 - c. tenancy by entirety
 - d. dower - interest a wife has in the property of her husband
 - e. curtesy – interest a husband has in the property of his wife
4. Equitable Estates which are neither ownership nor possession
 - a. lien
 - b. easement

Fee Simple in Land

Fee simple is the most common way real estate is owned in common law countries, and is ordinarily the most complete ownership interest that can be had in real property. It may be used in deeds transferring title, as in "Harry Hadit grants and conveys to Robert Gotit title in fee simple..." or similar words. Fee simple ownership represents absolute ownership of real

property, but it is limited by the four basic government powers of taxation, eminent domain, police power, and escheat and could also be limited by certain encumbrances or a condition in the deed. The owner(s) of real property in fee simple title have the right to own the property during their lifetime and typically have a say in determining who gets to own the property after their death.

Property in Trust

Many trusts contain real property as an asset. Therefore, it is important that the development officer and those involved in the management of the trust assets be knowledgeable regarding real estate procedures. Whenever possible, it would be well for those engaged in Planned Giving and Trust Services to take courses related to real estate in order to increase their skills and expertise.

Following are some suggestions and general information that may be helpful in establishing guidelines for the handling of trust real estate transactions.

The material presented is general. Each Planned Giving & Trust Services director must carefully check the specific requirements of the several states within his/her own territory.

Title to real estate passes to a new owner by deed. The parties to the deed are: (1) the seller or grantor and (2) the buyer or grantee. Loans are evidenced by (1) a note and a mortgage, (2) a note and a trust deed, or (3) a real estate contract. The note is the obligation; the mortgage or trust deed is the security for the note.

The parties to a mortgage are: (1) the borrower or mortgagor and (2) the lender or mortgagee.

The parties to a trust deed are: (1) the trustor, buyer, or borrower, (2) the trustee or independent third party who holds title, and (3) the beneficiary, lender, seller, or a third party receiving a gift. When a note or mortgage is satisfied, it should be marked "Paid" by the mortgagee and sent back to the borrower. To clear title, there must be a document recorded known as a "Satisfaction of Mortgage" or discharge of mortgage. When a note or trust deed is paid off, the beneficiary should request the trustee to issue a reconveyance deed. This must be recorded. The trustee usually requires that the original note and trust deed be surrendered for cancellation. If portions of the property are to be released at various intervals throughout the duration of the loan, a "partial reconveyance" or partial discharge should be issued as directed by the beneficiary, according to the agreement in the trust deed document, or as the buyer and beneficiary may subsequently agree.

Real estate in trust can be a blessing or a curse, depending on its type, location, value, etc. Every trustee organization should have a trust committee of highly trained personnel to review every trust proposal and the nature of the asset being submitted. Organizations should have their own checklists for use when processing trust assets.

As legal documents, working policy requires all conveyance documents to be prepared by or under the supervision of legal counsel in such a way that the attorney assumes responsibility for the document. There are several essential elements to a deed:

1. Must be in writing
2. Competent grantor and grantee capable of acquiring title
3. Adequately designate the grantor and grantee
4. Words expressing intent to transfer title
5. Sufficient legal description
6. Execution by grantor
7. Delivery
8. Acceptance

Individual states and provinces may have other requirements that are unique to its jurisdiction.

Other elements usually required for recordation are:

1. Consideration (for transfer tax purposes in some jurisdictions)
2. Date
3. Notarial acknowledgment
4. Witness(es), in some jurisdictions
5. Documentary transfer tax, in some jurisdictions
6. Address where tax statement is to be mailed.

The basic instrument for transferring title to real property is the deed. Each type of deed has certain implied warranties or guarantees which are imputed to it by the laws of the respective states. These warranties may be fully recited in the document, partially set forth therein, or implied by law. There are many types of deeds, such as the following:

1. Warranty Deed

Typically, a warranty deed carries with it the following guarantees:

- A. That the grantors possess the property lawfully.
- B. That the property is free of all encumbrances (except as set forth in the deed).

- C. That the grantors have full authority to sell the property.
- D. That the grantors and their heirs and personal representatives will defend the conveyance of the title to the grantees against the claims of all persons.

When taking property into trust, it is best to require a warranty deed, or a deed with implied warranties, from the trustors to continue the chain of warranties. However, some jurisdictions may not utilize warranty deeds (e.g. Massachusetts).

2. Special Purpose Deed

- A. Grant deed
- B. Special warranty deed
- C. Bargain sale deed
- D. Other
 - i. Deed of reconveyance
 - ii. Trustee's deed
 - iii. Sheriff's or tax collector's deed
 - iv. Personal representative's deed

The special purpose deed usually carries with it some, but not all, of the warranties. For example, the grantors who use a special warranty deed guarantee only that they have not previously conveyed the property to any party other than the grantee and that the estate is free from any encumbrance made, or suffered by, the grantors or anyone claiming under them.

3. Quitclaim Deed

The quitclaim deed is used to convey whatever interest the grantors may have in the property which is described. This could range from full fee simple ownership to the removal of a small cloud on the title, or, in some situations, even no interest at all.

Real property is usually returned to trustors, or to a third party, by using a quitclaim deed or a special warranty deed. On occasion, a trustor may request in writing that the deed conveying the property into trust not be recorded. If this is done and the trustee is requested to reconvey, a deed of reconveyance is still required, but this deed should not be recorded.

Miscellaneous

Holding title to real property, and the conveyance thereof, falls under the jurisdiction of the state where the real property is situated. In addition to statutes, the usage and customs of the area may have some bearing. It is important to learn as much as possible about statutes, usage, and customs in the states where you work. Using competent legal counsel to prepare conveyance documents is essential in safeguarding the organization and assuring compliance with local custom and statutes.

It should be noted that generally recordation is not required for title to be transferred. The transfer is made when delivery and acceptance have been completed. Recordation is necessary to protect against claims by third parties.

Methods of Holding Title

1. In one's individual name—If there is only one person, title is taken in that name alone.
2. As a corporation—The conference corporation or association is the legal body responsible for holding title to church property.
3. As a trustee—Persons or corporations authorized by the corporate charter and bylaws, as well as by state law, can act as trustees. Check with legal counsel to see if your organization should disclose that it is taking property as trustee for a certain trust.
4. Joint tenancy—occasionally, joint tenancy is clarified as “joint tenants with right of survivorship and not tenants in common,” but in most situations, this is abbreviated to “joint tenants.” The key attribute is that upon the death of one joint tenant, ownership passes automatically, by operation of law, to the surviving joint tenant(s). There may be two or more joint tenants, but all joint tenants must own equal shares of the property. Some jurisdictions require the use of specific language.
5. Tenancy by the entirety—Tenancy by the entirety is similar to a joint tenancy, with two major exceptions: it can exist only between husband and wife and neither party can terminate it without the consent of the other. In some states, it is not a recognized type of concurrent ownership.
6. Tenancy in common—Unless otherwise indicated, each party owns an equal, undivided interest, but it can also be stipulated that the individual tenants in common own unequal interests, such as 1/3 and 2/3. Each may sell his/her interest independently, it can pass to his/her heirs by the terms of the will, or it may be transferred through intestate succession at his/her death.
7. Community property—Each community property state has its own laws covering this type of concurrent ownership, but the basic concept is that the husband and wife each

own a vested one-half interest in the property acquired by the personal efforts of either of them during the term of their marriage. Ten states recognize at least a form of community property: Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, and Wisconsin. Alaska permits an opt-in option for married couples and Wisconsin treats marital property ownership in a manner similar to community property.

8. Partnership—In most states, a partnership asset may be held in the names of the several partners, in which case their interests between or among themselves will be as they have agreed, and generally, as set forth in their Articles of Partnership.
9. Limited Liability Company—A limited liability company (LLC) is an unincorporated business association—a cross between a partnership and a corporation that combines the most favorable attributes of both. The LLC has been designated to provide business owners and managers with a partnership’s flexibility and tax advantages and a corporation’s protection against personal liability.

Other Considerations

1. Title. The chain of title, or history of ownership, is very important. Sometimes trustors forget that they have transferred title of assets to the trustee and will attempt to pass title to another party without first securing a deed back from their trustee. This can cause difficulty and embarrassment to the parties involved.

The deed should contain an accurate description of the property. Notice the wording on deeds conveying the property. In warranty or grant deeds and also in assignments of contracts or mortgages, the required wording is “grants, transfers, and conveys.” In quitclaim deeds, the deed states “remise, release, and forever quitclaim.” Each state usually requires specific wording. Check for specific requirements of the state in which the real property is located. It is dangerous to use a standard form. Church policy requires that legal counsel, licensed in the appropriate jurisdiction, assume responsibility for all legal instruments.

2. Escrow. In some states, it is customary to transfer real property through an escrow agent. In those states, an escrow agreement must be signed by both buyer and seller. If a broker is used, he or she should sign the sales agreement, but not the escrow instructions. The specific details of the transaction must be included in total before either party signs the escrow agreement. Great difficulty can result if, after both parties have signed, it is discovered that the instructions are incomplete. For example, one party may refuse to sign amended instructions. The escrow officer requires complete and adequate instructions and is charged with specific duties. Most states regulate the duties and requirements of the escrow company, as well as who can function as an escrow company.
3. Appraisal. An appraisal is an estimate of value. There are three methods of determining the estimated value.

- A. Income approach: The income approach determines the value of a piece of property based on the income derived from rents, etc., from the property and is used for apartments, commercial properties, and investment properties.
- B. Cost approach: The cost approach determines the cost to replace the specific building on a specific piece of land in the exact size, shape, type, architectural form, etc., in the current market. This approach is used for schools, hospitals, and similar types of property.
- C. Market approach: The market approach is based on comparable sizes of other “like” properties. This approach is typically used for residential properties and compares properties according to size, neighborhood, proximity to schools, churches, shopping centers, access to major roads, and so forth.

There are two main professional organizations to which appraisers may belong:

- A. The American Institute of Real Estate Appraisers of the National Association of Real Estate Board (MAI)
- B. The Society of Real Estate Appraisers (SREA)

An appraisal becomes important at the maturity of a revocable trust or at the inception of an irrevocable trust where the trust assets must be valued.

Qualified appraisals are essential in charitable contributions of real property valued in excess of \$5,000. Under IRS rules, all donations of property other than cash and publicly traded securities which are worth more than \$5,000 must be appraised and a report filed with the IRS on Form 8283 in order to obtain a charitable deduction. This must be done by a **qualified appraiser** who must be held out to the public as an appraiser. The appraiser must be qualified to value the type of property involved and have no personal interest that might cause him/her to undervalue or overvalue. Please consult Chapter 23, *Valuation and Substantiation* for a more complete discussion of the qualified appraisal rules.

North American Division accreditation standards for planned giving and trust services require non-cash assets, including real property, to be valued at either cost basis or fair market value when placed into a revocable trust. The organization must consistently use one or the other value for all of its non-cash assets held in a fiduciary capacity. A trustor’s signed statement as to cost basis is acceptable, but if the FMV standard is utilized then a qualified appraisal is required.

- 4. Insurance. It is necessary to have insurance coverage for the lender, trustor, and trustee. The trustee must be named on all fire and liability policies as an additional insured, unless a Waiver and Hold Harmless form is signed by the trustors and is

included in the trust file. A copy of each policy should be in the trust file. If, for any reason, the trustor does not want to have the property insured, a signed statement to that effect, promising to indemnify the trustee for any loss incurred by the trustor must be in the trust file.

5. Environmental Concerns. **Before** real property is accepted as a gift, taken into trust, or purchased, an inspection should be made to determine if the property is free from contaminants and pollutants. See the chapter entitled *The Environment and Hazardous Waste* in this Manual for additional information and sample screening forms.
6. Title Insurance. In a title insurance policy the insurer promises to indemnify the insured for any injury if the title to land is less than described in the policy. Generally, it only protects against losses from events that occurred prior to the policy date. Coverage ends on the policy issue date and extends backward in time for an indefinite period. The policy is paid with a single premium at the time of transfer. The premium for the policy may be paid by the seller/transferor or buyer/transferee as the parties agree. Generally there is a custom in a particular state or county on this matter which is reflected in most local real estate contracts.

A policy typically contains “general” and “special” exclusions. General exclusions are the routine exclusions that the title company simply will not insure against in every situation. Special exclusions are defects or encumbrances against the specific property that were revealed when the title company examined the records, surveys, and in some cases visual inspection of the property. The title company is also required to provide a legal defense to its insured. The limit of liability is usually the amount of the purchase or loan.

The Owner's Policy or Owner's Title Policy insures a purchaser that the title to the property is vested in that purchaser and that it is free from all defects, liens and encumbrances unless excluded. It also covers loss and damage suffered if the title is unmarketable and for loss if there is no right of access to the land. Title insurance coverage lasts as long as the insured retains an interest in the covered property and typically no additional premium is paid after the policy is issued. In some areas sellers provide the buyer an Owner's Policy in other areas it is purchased as an add-on to a Lender's Policy.

A Lender's Policy or Loan Policy is issued only to mortgage lenders and provides coverage up to the amount of the mortgage. Generally speaking, it follows the assignment of the mortgage loan, meaning that the policy benefits the purchaser of the loan if the loan is sold. For this reason, these policies greatly facilitate the sale of mortgages into the secondary market.

Real Estate Description

It is extremely important in the conveyance of any real property that a precise “legal description” be included. This is done by making exact measurements of the property and showing the relationship of these measurements to other officially recognized measurements, so that the real property in question can be identified on an official map. The following explains measurements used in legal descriptions. The more general measurements will be discussed first and the measurements that will exactly locate a specific “tract” or “parcel” of land will be discussed last.

1. **Longitude.** Longitude is measured by north-south meridians encircling the earth through the poles, counting from the prime meridian (0 degrees) through Greenwich, England, just outside of London. West longitude extends half-way around the earth, westerly from Greenwich. Each degree of longitude is $1/360^{\text{th}}$ of the globe’s circumference. At the equator, each degree measures 69.17 miles; the distance between meridians decreases as the distance from either pole is reduced.
2. **Latitude or Parallels.** Latitudes or parallels are lines that parallel the equator so that each point of any of them is the same distance from the equator as any other point on that parallel. North latitude is measured from the equator (0 degrees) to the North Pole (90 degrees). Longitude and latitude are expressed in degrees ($^{\circ}$), minutes ($'$), and seconds ($''$).
3. **Countrywide Government Surveys.** A typical globe shows only a few meridians of longitude and parallels of latitude, perhaps no more than one at every fifteenth degree. On a local map, every degree line is shown. Even so, degree lines are too distant to be used alone in referring to the location of a small area such as a parcel of real estate. Many conveniently located markers (often bronze) have been established, and their precise longitude and latitude have been indicated, so that practical starting points for surveys may be easily located.
4. **State Survey Lines.** In many states, certain “base lines” and meridians, called by local names, have been designated, from which measurements within the state are generally taken. Reference to them by name is more convenient than would be the practice of describing the location of land in terms of longitude and latitude.
5. **Township.** A “standard” township is a six-mile-square area; that is, it is 36 square miles of land. (The name “township” has no connection with a town site or town.) East-west rows of townships are called “tiers;” north-south columns of townships are called “ranges.”

The principal meridians (verticals) and baselines (horizontal) are referred to when the description includes reference to the township in which the property lies. Townships are given numerical identity with relation to their position above or below the “local” meridian. For example, Township 2S., Range 2E., S.B.M.,” is an

abbreviated form for designating the township located at the intersection of the second tier of townships south of the San Bernardino baseline and the second range of townships east of the San Bernardino meridian.

6. Section. The next smaller unit after a township is a space one-mile square, called a "section." Townships consist of 36 sections, six sections wide by six sections high.

In describing the location of land, it is possible to identify its place on the map (for example, "Section 22, T. 2S. R.2E., S.B.M."). To identify its location within that section, a further division is required.

A **section** contains 640 acres (one square mile) and measures 5,280 feet on each side. A **half section** is half of that: 320 acres. Its dimensions are 2,640 feet by 5,280 feet. A **quarter section** is 160 acres—2,640 feet on each side.

Some maps show distances in units other than feet, for example, in rods and chains. A rod is 16 ½ feet. A chain is 4 rods, or 66 feet.

See chart at end of this chapter.

7. Acre. An acre is 1/640 of a square mile, or section; it contains 43,560 square feet. A square piece of land of one acre area measures 208.71 feet (208 ft. 8 ½ in.) on each side. To approximate one acre of space in an open field, step off 69 ½ three-foot paces straight ahead, then 69 ½ at a right angle.

Acre area of other dimensions:

50 feet x 871.2 feet

75 feet x 560.8 feet

100 feet x 435.6 feet

150 feet x 290.4 feet

8. "Lot, block, and tract" description. In the papers which are prepared for the conveyance of real property, the legally-phrased official description of the property may be of the "lot, block, and tract" type, in which case it might state, "Lot 6 in Block 2 of Tract No. 7594, in the City of _____, County of _____ State of _____, as per map recorded in Book 77, Page 48, of Maps, in the office of the Recorder of said County."
9. "Metes and bounds" description. Some property cannot be so briefly described as by lot, block, and tract, and requires a "metes and bounds" description. "Metes" refers to measurements and "bounds" refers to boundaries which represent units of measurement along stated boundary lines.

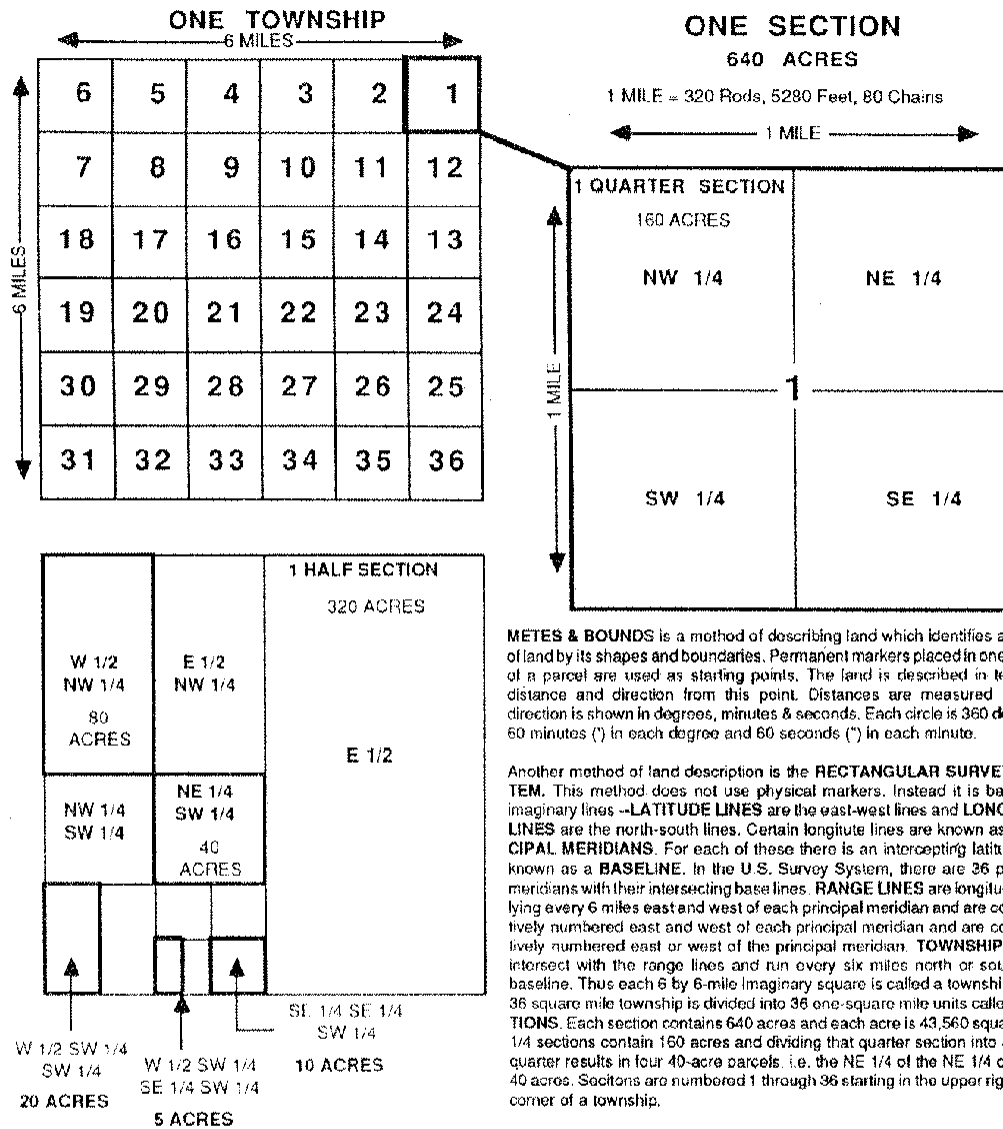
An area is described by specific reference to the location, direction, and extent of its boundary lines, beginning at a point which has been established by a recorded deed or official map.

10. Surveys. Surveyors use sophisticated distance and angle measuring devices to establish boundary lines and determine distances from officially registered starting points (benchmarks or monuments). Surveys are used to establish land maps and boundaries for ownership or governmental purposes. In order to accomplish their objective, surveyors use elements of geometry, engineering, mathematics, physics, and law. When property ownership changes, a survey may be required to verify property boundaries, locate easements, setbacks, and boundary encroachment.

Common types of surveys and drawings include:

- *ALTA/ACSM survey*: a surveying standard jointly proposed by the American Land Title Association and the American Congress on Surveying and Mapping that incorporates elements of the boundary survey, mortgage survey, and topographic survey. ALTA/ACSM surveys, frequently shortened to *ALTA surveys*, are often required for real estate transactions.
- *Boundary survey*: the actual physical extent of property ownership, typically witnessed by monuments or markers, such as (typically iron rods, pipes or concrete monuments in the ground, but also tacks or blazes in trees, piled stone corners or other types of monuments) are measured, and a map, or plat, is drawn from the data.
- *Draw lot*: one lot from a plat is drawn, with any easements and setbacks that may be on it.
- *Mortgage survey*: a simple survey that generally determines land boundaries and building locations. Mortgage surveys are required by title companies and lending institutions when they provide financing to show that there are no structures encroaching on the property and that the position of structures is generally within zoning and building code requirements. Some jurisdictions allow mortgage surveys to be done to a lesser standard, however most modern U.S. state minimum standards require the same standard of care for mortgage surveys as any other survey. The resulting higher price for mortgage surveys has led some lending institutions to accept "Mortgage Inspections" not signed or sealed by a surveyor.
- *Plot plan*: a proposal for a house or other building and driveway or parking lot are added to a draw lot.
- *Subdivision plat*: a plot or map based on a survey of a parcel of land. Lines are drawn inside it, indicating the location of roads and lots. Plats are usually discussed back and forth between the developer and the surveyor until they are agreed upon, at which point pins are driven into the ground to mark the lot corners and curve ends, and the plat is recorded in the cadastre (USA, elsewhere) or land registry (UK). In some jurisdictions, the recording or filing of a subdivision plat is highly regulated. The final map or plat becomes, in effect, a contract between the developer and the city or county, determining what can be built on the property and under what conditions.
- *Topographic survey*: a survey that measures the elevation of points on a particular piece of land, and presents them as contours on a plot.

LAND DESCRIPTION



METES & BOUNDS is a method of describing land which identifies a parcel of land by its shapes and boundaries. Permanent markers placed in one corner of a parcel are used as starting points. The land is described in terms of distance and direction from this point. Distances are measured in feet, direction is shown in degrees, minutes & seconds. Each circle is 360 degrees, 60 minutes (') in each degree and 60 seconds (") in each minute.

Another method of land description is the **RECTANGULAR SURVEY SYSTEM**. This method does not use physical markers. Instead it is based on imaginary lines -- **LATITUDE LINES** are the east-west lines and **LONGITUDE LINES** are the north-south lines. Certain longitude lines are known as **PRINCIPAL MERIDIANS**. For each of these there is an intersecting latitude line known as a **BASELINE**. In the U.S. Survey System, there are 26 principal meridians with their intersecting base lines. **RANGE LINES** are longitude lines lying every 6 miles east and west of each principal meridian and are consecutively numbered east and west of each principal meridian and are consecutively numbered east or west of the principal meridian. **TOWNSHIP LINES** intersect with the range lines and run every six miles north or south of a baseline. Thus each 6 by 6-mile imaginary square is called a township. Each 36 square mile township is divided into 36 one-square mile units called **SECTIONS**. Each section contains 640 acres and each acre is 43,560 square feet. 1/4 sections contain 160 acres and dividing that quarter section into another quarter results in four 40-acre parcels. i.e. the NE 1/4 of the NE 1/4 contains 40 acres. Sections are numbered 1 through 36 starting in the upper right hand corner of a township.

MEANDERED LAKE OR STREAM - Meandered water is generally known as public water, meaning the land owner pays the taxes on the land only and not the land under the water. The land is divided into divisions known as government lots which is the legal land description for that piece of land. If there are government lots adjoining the body of water it is meandered, otherwise it is privately owned land and the owner is paying taxes on the land under the water as well as adjoining the water. The landowner also owns fishing, hunting, etc., rights on that piece of land within the regulations of the federal and state governments except when the water is navigable.

SQUARE MEASURE		LINEAR MEASURE	
144 sq. in.	1 sq. ft.	7.92 in.	1 link
9 sq. ft.	1 sq. yd.	3 ft.	66 ft.
30 1/2 sq. yds.	1 sq. rd.	25 links.	1 yd.
16 sq. rds.	1 sq. chain	16 1/2 ft.	320 rds.
1 sq. rd.	272 1/4 sq. ft.	16 1/2 ft.	1 rd.
1 sq. chain	4,356 sq. ft.	100 links.	1 chain
10 sq. chains.	1 acre	5 1/2 yds.	1 rd.
		4 rds.	100 links
160 sq. rds.	1 acre		
4,840 sq. yds.	1 acre		
43,560 sq. ft.	1 acre		
640 acres.	1 sq. mile		
1 sq. mile.	1 section		
36 sq. miles.	1 township		
6 miles sq.	1 township		

CHART III
SECTION MAP SHOWING SUBDIVISIONS THEREOF

N1/2 of NW1/4 80 acres <div style="text-align: center;"> N ↑ </div>		W1/2 of NW1/4 of NE1/4 20 acres	E1/2 of NW1/4 of NE1/4 20 acres	W1/2 of NE1/4 of NE1/4 20 acres	E1/2 of NE1/4 of NE1/4 20 acres		
S1/2 of NW1/4 80 acres		N1/2 of SW1/4 of NE1/4 20 acres		N1/2 of SE1/4 of NE1/4 20 acres			
NW1/4 of SW1/4 40 acres	NE1/4 of SW1/4 40 acres	NW 1/4 of NW1/4 of SE1/4 10 acres	NE1/4 of NW1/4 of SE1/4 10 acres	N1/2 of NE1/4 of SE1/4 20 acres			
SW1/4 of SW1/4 40 acres	SE1/4 of SW1/4 40 acres	SW1/4 of NW1/4 of SE1/4 10 acres	SE1/4 of NW1/4 of SE1/4 10 acres	S1/2 of NE1/4 of SE1/4 20 acres			
		W1/2 NW1/4 SW1/4 SE1/4 5 a.	E1/2 SW1/4 SW1/4 SE1/4 5 a.	N1/2 NE1/4 SW1/4-SE1/4 5 a. S1/2 NE1/4 SW1/4-SE1/4 5 a.	W1/2 of SE1/4 of SE1/4 20 acres	E1/2 of SE1/4 of SE1/4 20 acres	
		SW1/4 of SW1/4 of SE1/4 10 acres	A 2 1/2 a.	B 2 1/2 a.			
				C 2 1/2 a.	D 2 1/2 a.		

Tract A is the NW1/4 of SE1/4 of SW1/4 of SE1/4
 Tract B is the NE1/4 of SE1/4 of SW1/4 of SE1/4
 Tract C is the SW1/4 of SE1/4 of SW1/4 of SE1/4
 Tract D is the SE1/4 of SE1/4 of SW1/4 of SE1/4