199-2413
DELAWARE COUNTY IOWA
FILED

'96 MAR 5 AM 10 05

18 PAGE 254 A

DEBORAH L. PEYTON
DELAWARE CO. RECORDER

$21.00

DAVID L. CLEMENS

TO

WHOM IT MAY CONCERN:

Prepared by: David L. Clemens 222 Fischer Bldg. Dubuque, IA 52004 556-8008

RE: AFFIDAVIT OF TITLE RE:

Timbergate Subdivision of part of the South one-half (S½) of the Southwest Quarter (SW¼) and part of the West one-half (W½) of the Southeast Quarter (SE¼) of Section Thirty Six (36), Township Eighty Nine (89) North, Range Four (4), West of the Fifth Principal Meridian, according to the plat recorded in Book 4 Plats, page 39, except that part included in Condemnation Proceedings recorded in Book Y Misc., Page 41.

STATE OF IOWA, COUNTY OF DUBUQUE, ss:

I, David L. Clemens, being duly sworn state:

(1) I am an attorney licensed to practice in the State of Iowa;

(2) I reviewed the probate record of the Estate of Robert Vorwald Probate No. 29432 in the District Court of Iowa in and for Dubuque County;

(3) Attached hereto is a certified copy of the Final Report for the Estate of Robert Vorwald.

Dated this 1 day of March, 1996.

David L. Clemens

STATE OF IOWA)
) ss.
DUBUQUE COUNTY)

On this 1 day of March, 1996, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DAVID L. CLEMENS, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

Shelli M. Troester
Notary Public in and for said State

F:\WORDPERF\DOCS\JMD\VORWALD.AFF

SHELLI M. TROESTER
MY COMMISSION EXPIRES
11-15-98

FILE No. 199-2413
RECORDING FEE $ 21.00
TRANSFER FEE $

FILED FOR RECORD THE 5 DAY OF MARCH, 19 96 AT 10:05 O'CLOCK A. M. BOOK 18 PAGE 254 A

STATE OF IOWA, DELAWARE COUNTY
DEBORAH L. PEYTON, Recorder
AFF.

IN THE DISTRICT COURT OF IOWA FOR DUBUQUE COUNTY

IN THE MATTER OF THE ESTATE OF ROBERT VORWALD, DECEASED	)	Probate No. 29432
	)	ORDER APPROVING FINAL REPORT

Now on this 9 day of Dec, 1985, the above entitled matter coming on for hearing in accordance with the rules of this Court and the laws of the State of Iowa upon the Final Report of the Executor; whereupon this matter proceeds to final hearing; the court having examined the records, heard the evidence and being fully advised in the premises, FINDS, ORDERS, ADJUDGES and DECREES as follows:

1. That the statements and allegations in the Final Report filed by the Executor are true and correct; no objections thereto have been filed.

2. That the Executor has duly filed inventory and published notice of her appointment as required by law; that more than six months have elapsed since the completion of publication of such notice, proof thereof being now on file.

3. That all of the persons interested in this estate are legally competent and of full age; said persons have in writing waived notice of the hearing of this Final Report and consented to the approval of this Final Report, proof thereof being now on file. The Court has jurisdiction over all interested parties and of the subject matter of this estate.

4. That all of the statutory requirements pertaining to taxes have been complied with in accordance with the laws of the United States of America and the laws of the State of Iowa, including those applicable provisions of the Code of Iowa pertaining to income taxes as shown in Chapter 422 therein pertaining to inheritance taxes as shown in Chapter 450 therein and pertaining to personal taxes as shown in Section 474 of the Iowa Probate Code.

5. That all just debts and claims filed in this estate have been paid or otherwise disposed of as provided for by the laws of the State of Iowa. Any further claims against this estate are barred by the Statute of Limitations.

6. That costs and expenses of administration have been paid in full.

7. That the personal assets of this estate have been distributed as provided for by the Last Will and Testament of the decedent and in accordance with the laws of the State of Iowa, receipt for the same has been executed by the interested parties, and filed herein showing said distribution.

8. That there is no conservator or trustee for any of the distributees named herein.

9. That title to the following described real estate, to-wit:

Lot 2 of Lot 1 of Lot 1 of Lot 1 of Koeller's Subdivision, a Subdivision in the NW¼ of Section 20, Township 90 North, Range 1 West of the 5th P.M., according to the recorded plats thereof, subject to easements of record;

Lot 2 in "Heiderscheit's Subdivision" in the NW¼ of Section 20, Township 90 North, Range 1 West of the 5th P.M., in the Town of Holy Cross, Dubuque County, Iowa, according to the plat thereof in Book of Plats #4, page 475, records of Dubuque County, Iowa;

Lot 7 of Lot 4 in "Heiderscheit's Subdivision" in the City of Holy Cross, Dubuque County, Iowa, and Lot 8 of Lot 4 in "Heiderscheit's Subdivision" in the City of Holy Cross, Dubuque County, Iowa;

The South 1/4 of the NE¼ of the SE¼ and the North 30 acres of the SE¼ of the SE¼, both in Section 7, Township 90 North, Range 2 West of the 5th P.M., in Liberty Township, Dubuque County, Iowa, according to Government Survey, subject to easements of record;

vests as provided for by the Last Will and Testament of said decedent and in accordance with the laws of the State of Iowa, in AGNES VORWALD.

It is further Ordered that the Clerk of this Court certify under seal of this Court change of title of the Iowa real estate as required by the Code of Iowa, to the County Auditor of the County in which said land is located, for the purpose of taxation, all in accordance with this Order and the Last Will and Testament of said decedent.

10. That title to the assets of Vorwald Construction Company of Holy Cross, Iowa, including all personal property, construction machinery, accounts receivable, and all bank accounts, vest as provided for by the Last Will and Testament of said decedent and in accordance with the laws of the State of Iowa in AGNES VORWALD.

11. That the monies from the undivided one-half interest in V & S Construction, Inc. of Manchester, Iowa vests as provided for by the Last Will and Testament of said decedent and in accordance with the laws of the State of Iowa in AGNES VORWALD.

12. That the Promissory Note and Real Estate Mortgage which were executed by KES Enterprises, Inc., an Iowa corporation, to the Robert Vorwald Estate, said mortgage executed on June 27, 1983 and recorded in Book 93, page 296 of the records of Delaware County, Iowa, vests as provided for by the Last Will and Testament of said decedent and in accordance with the laws of the State of Iowa in AGNES VORWALD.

13. That the Judgment of the Robert Vorwald Estate against Bill Mormann dated August 21, 1984 for the amount of $4,082.20 with interest at the rate of 10% from the date of filing, and for court costs, all in the Delaware County District Court, Law No. CL1708, vests as provided for by the Last Will

and Testament of the decedent and in accordance with the laws of the State of Iowa in AGNES VORWALD.

14. That the Judgment of the Robert Vorwald Estate against James Markham dated February 22, 1984 for the amount of $2,485.00 with interest at the rate of 10% from the date of filing, and for court costs, all in Dubuque County District Court, Law No. 44512, vests as provided for by the Last Will and Testament of the decedent and in accordance with the laws of the State of Iowa in AGNES VORWALD.

15. That all pending lawsuits of the Robert Vorwald Estate on file in the various District Courts or Small Claims Courts in the State of Iowa which have not been reduced to Judgments shall vest as provided by the Last Will and Testament of Robert Vorwald, deceased and in accordance with the laws of the State of Iowa, in AGNES VORWALD.

16. That the Iowa Department of Revenue has waived the 30 day notice of discharge of the personal representative under Iowa Code Sections 422.27 and 450.58, as amended by the 1985 Iowa Acts, House File 761.

17. That the Final Report of the Executor herein be and the same is hereby approved and ratified, including all of the acts and conduct of said Executor, and said Executor is discharged as such; that said estate is hereby settled and closed.

JUDGE, 1st Judicial District of Iowa

STATE OF IOWA
DEPARTMENT OF REVENUE
ESTATES AND TRUSTS DIVISION

CLERK'S COPY

FILED
'83 AUG 22 AM 9 30
LEROY L. MEYER
CLERK OF DISTRICT COURT
DUBUQUE COUNTY, IOWA

Des Moines, Iowa, August 16, 1983

IT IS HEREBY CERTIFIED that upon examination of the records in this office it has been found that all the necessary inheritance tax reports in the estate of Robert Vorwald probated in Dubuque County, State of Iowa, have been filed, and that according to the assets reported there is NO INHERITANCE TAX DUE THE STATE OF IOWA. Per Amendment 8-11-83

DIRECTOR OF REVENUE

By: Ben W. Brown
ADMINISTRATOR, ESTATES and TRUSTS DIVISION

Ben W. Brown

Estate No. 285522

Probate No. 29432

CERTIFICATE