329-3647
DELAWARE COUNTY IOWA
FILED
'97 JUN 11 AM 9 54
19 PAGE 75
RECORDER
#31.00

Preparer Information: Marc W. Casey (Individual's Name) P.O. Box 274 (Street Address) Dyersville (City) (319)875-7178 (Phone)

AFFIDAVIT EXPLANATORY
OF TITLE

STATE OF IOWA)
) SS
COUNTY OF DUBUQUE)

The undersigned, being first duly sworn, deposes and states:

1. That I was the attorney for Maurice Dale Tobin, in Dissolution of Marriage proceedings in Dubuque County, Iowa, Case No. D.M. 4177.

2. That the Stipulation and Decree in said dissolution proceedings provided that title to the following described property:

> Lot Eight (8) of the Subdivision of Lot One (1) of Timbergate Subdivision of part of the South One-half (S-1/2) of the Southwest Quarter (SW-1/4) and part of the West One-half (W-1/2) of the Southeast Quarter (SE-1/4) of Section Thirty-six (36) Township Eighty-nine (89) North, Range Four (4), West of the 5th Principal Meridian, according to the Plat recorded in Book 4, Plats, Page 39,

was granted exclusively to Maurice Dale Tobin, and Jane Marie Tobin had no further interest in said property.

3. That a certified copy of the Stipulation and Decree of Dissolution of Marriage is attached to this affidavit and by this reference made a part hereof.

Further, affiant sayeth not.

Dated this 9th day of June, 1997.

Marc W. Casey, Affiant

Subscribed and sworn to before me this 9th day of June, 1997.

Penny Schueller
Notary Public
In and for the State of Iowa

DATE 6-11-97 BOOK 19 PAGE 75

MOSS, HEIMS & CASEY
LAW OFFICES
DYERSVILLE, IOWA
52040

PENNY J. SCHUELLER
NOTARIAL SEAL
IOWA

IN THE DISTRICT COURT OF THE STATE OF IOWA

IN AND FOR DUBUQUE COUNTY

IN RE THE MARRIAGE OF JANE MARIE TOBIN AND MAURICE DALE TOBIN

Upon the Petition of

JANE MARIE TOBIN,

Petitioner,

and Concerning

MAURICE DALE TOBIN,

Respondent.

D.M. No. 4177

STIPULATION

CERTIFIED
DUBUQUE CO.
$ 1.00

LEROY E. METZ
CLERK OF DIST. COURT
DUBUQUE CO. IOWA
82 JUN 23 AM 9 51
FILED

WHEREAS, the above named petitioner has instituted a Petition for Dissolution of Marriage, with the Petition having been duly served upon the respondent herein acknowledging personal service of the Petition for Dissolution of Marriage upon him, and respondent hereby waiving all further appearances and consenting and permitting petitioner to proceed to prove her case as a default; and

WHEREAS, it is the desire of the parties herein to settle amicably all matters pertaining to temporary and permanent maintenance, rights of separate support and maintenance, all property rights whether real or personal of the parties herein, matters pertaining to the marriage, and all other rights growing out of the marriage status,

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties that in the event the Court shall grant to the parties a dissolution of the marriage, and Court may incorporate in any decree hereinafter to be entered the following conditions and provisions:

1. Each party shall be entitled to the items of personalty currently in his or her possession.

2. Petitioner shall be entitled to the exclusive ownership of and use of the 1981 Chevrolet Citation automobile currently in her possession. Title to the automobile has been transferred

into her name alone. Petitioner shall be responsible for all indebtedness against said automobile.

3. Respondent shall be entitled to the exclusive ownership of and use of a 1982 Chevrolet Cavalier currently in his possession. Title is in his name alone. Respondent shall be responsible for all indebtedness against said automobile.

4. Petitioner shall have exclusive ownership of the shares of stock in the Dyersville National Bank of Dyersville, Iowa. Respondent agrees to pay the full amount of the outstanding loan against the stock upon maturity, in July, 1982.

5. Petitioner shall continue to own the two (2) certificates of deposit which are in her name.

6. Respondent shall have exclusive ownership of the parties' boat, a 1978 Century Cabin Cruiser. Petioner will sign the documents necessary to effect transfer of ownership.

7. Respondent is granted exclusive ownership and possession of the parties' homestead in Dyersville, Iowa, locally known as 515 Second Avenue S.E., and legally described as:

Lot 252 in the incorporated City of Dyersville, Iowa,

8. Respondent is granted exclusive ownership and possession of the following described property:

Lot Eight (8) of the Subdivision of Lot One (1) of Timbergate Subdivision of part of the South One-half (S-1/2) of the Southwest Quarter (SW-1/4) and part of the West One-half (W-1/2) of the Southeast Quarter (SE-1/4) of Section Thirty-six (36) Township Eighty-nine (89) North, Range Four (4), West of the 5th Principal Meridian, according to the Plat recorded in Book 4 Plats, Page 39.

9. Respondent is granted exclusive ownership of all other certificates of deposit and bonds not previously disposed of by the stipulation.

10. Each party is granted exclusive ownership of their respective checking accounts and any savings accounts in their own name.

11. If for any reason either party neglects to execute the necessary documents for transfer of any of the property specified herein, a certified copy of this Stipulation and Judgment and Decree shall operate to transfer the real and personal property as agreed to herein by the parties.

Dated: JUNE 17, 1982.

Jane M. Tobin
Jane Marie Tobin, Petitioner

Lynne Krehbiel, Attorney for Petitioner

Dated: JUNE 17, 1982.

Maurice D. Tobin
Maurice Dale Tobin, Respondent

Marc W. Casey, Attorney for Respondent

STATE OF IOWA)
)SS:
COUNTY OF DUBUQUE)

Subscribed and sworn to before me by Jane Marie Tobin, Petitioner, this 17th day of June, 1982.

Nancy A. Steffensmeier
Notary Public in and for the State of Iowa.

Nancy A. Steffensmeier
MY COMMISSION EXPIRES
Sept 30 1984

STATE OF IOWA)
)SS:
COUNTY OF DUBUQUE)

Subscribed and sworn to before me by Maurice Dale Tobin, Respondent, this 17 day of JUNE, 1982.

Iowa NOTARIAL SEAL

Marc W. Casey
Notary Public in and for the State of Iowa.

Page 3 of 3

IN THE DISTRICT COURT OF THE STATE OF IOWA

IN AND FOR DUBUQUE COUNTY

IN RE THE MARRIAGE OF JANE MARIE TOBIN AND MAURICE DALE TOBIN

Upon the Petition of JANE MARIE TOBIN, Petitioner, and Concerning MAURICE DALE TOBIN, Respondent.	Equity No. DM 4177 DECREE OF DISSOLUTION OF MARRIAGE

FILED
JUL 1
CLERK OF DISTRICT COURT
DUBUQUE COUNTY, IOWA

On this 1st day of July, 1982, there came on for hearing before the Court the Petition of Jane Marie Tobin for dissolution of marriage from the Respondent, Maurice Dale Tobin, on grounds presently provided in Chapter 598 of the Iowa Code. Petitioner was present in person in court and was represented by her attorney, Michael J. Huberty of 401 First Avenue East, Dyersville, Iowa. Respondent has appeared through his attorney, Marc W. Casey of Dyersville, Iowa; however, neither Respondent nor his attorney appeared for this hearing as the parties have entered into a Stipulation and Agreement and Respondent's attorney has approved the proposed Decree as to form.

The Court, having heard the testimony of the parties, and having examined the other evidence and the Stipulation and Agreement entered into between the parties and filed in this proceeding now makes the following:

FINDINGS OF FACT

That the parties were married on October 26, 1974, and they presently are residents of the County of Dubuque, State of Iowa, and that such residence has been in good faith and not for the purpose of obtaining a dissolution of marriage. That the Petitioner's Petition has been filed in good faith and for the purposes set forth herein.

That there was no child born of this marriage between Petitioner and Respondent.

That the appointment of a conciliator will not preserve the marriage.

CONCLUSIONS OF LAW

That the Court has jurisdiction of the parties and the subject matter herein.

That the Petition is adequately sustained by the preponderance of the credible evidence and that there has been a breakdown of the marriage relationship between the Petitioner and Respondent to the extent that the legitimate objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved.

That there should be a dissolution of marriage between the Petitioner and Respondent; that the provisions of the Stipulation entered between them, marked Petitioner's Exhibit 1, is offered to the Court and should be accepted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony existing between the parties hereto are hereby dissolved and held to be of no further force and effect and the marriage between the parties is dissolved and this dissolution of marriage is granted to both parties hereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Stipulation executed by the parties be and the same is hereby approved and incorporated in the decree as if the same were fully set forth herein verbatim.

Judge, First Judicial District of Iowa

Approved as to form:

Marc W. Casey
Attorney for Respondent