Entered for taxation 21 day
of January A.D., 2009
Carla K. Becker, Auditor
By D. Willman, Deputy
Parcel # 180-34-00-003-00
180-33-00-019-10
180-33-00-019-00
89-34 89-33

Book 2009 Page 231

Document 2009 231 Type 03 005 Pages 2
Date 1/21/2009 Time 9:17:16AM
Rec Amt $12.00 Aud Amt $10.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

# AFFIDAVIT OF SURVIVING SPOUSE FOR CHANGE OF TITLE TO REAL ESTATE

**THE IOWA STATE BAR ASSOCIATION**
**Official Form No. 177**
**Recorder's Cover Sheet**

**Preparer Information:** (Name, address and phone number)
Kenneth L. Moss , 129 1st Avenue East, P.O. Box 274, Dyersville, IA 52040, Phone: (563) 875-7178

**Taxpayer Information:** (Name and complete address)
Mary Ann Drees, 1297 6th St SW, Dyersville, IA 52040

**Return Document To:** (Name and complete address)
Kenneth L. Moss , 129 1st Avenue East, P.O. Box 274, Dyersville, IA 52040, Phone: (563) 875-7178

**Grantors:**
James R. Drees

**Grantees:**
Mary Ann Drees

**Legal description:** See Page 2

**Document or instrument number of previously recorded documents:**

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| THE IOWA STATE BAR ASSOCIATION Official Form No. 177 | Kenneth L. Moss | FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER |
|---|---|---|

# AFFIDAVIT OF SURVIVING SPOUSE FOR CHANGE OF TITLE TO REAL ESTATE

**STATE OF IOWA, COUNTY OF** DUBUQUE

I, Mary Ann Drees, being first duly sworn on oath, depose and state as follows:

1. I am [ is] the surviving spouse of JAMES R. DREES, who died on the 23rd day of October 2008.

2. The following described real estate was owned only by JAMES R. DREES and, this Affiant [ or ], as joint tenants with full rights of survivorship at the time of JAMES R. DREES 's death:

That part of the West half (W ½) of the Northwest Quarter (NW ¼) of Section Thirty Four (34) lying South of the Railroad Right of Way in Township Eighty Nine (89) North, Range Three (3) West of the 5th P.M., Delaware County, Iowa, except Parcel B Part of the Southwest Quarter (SW ¼) of the Northwest Quarter and part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼), Section Thirty Four (34), Township Eighty Nine (89) North, Range Three (3) West of the 5th P.M., Delaware County, Iowa per plat recorded in Book 2006, Page 1869, subject to Real Estate Contract recorded in Book 2000, Page 925;

And,

That part of the Northeast Quarter (NE ¼) of Section Thirty Three (33) lying South of the Railroad Right of Way in Township Eighty Nine (89) North, Range Three (3) West of the 5th P.M., Delaware County, Iowa, except Parcel C part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Thirty Three (33), Township Eighty Nine (89) North, Range Three (3) West of the 5th P.M., Delaware County, Iowa per plat recorded in Book 2005, Page 1007 and also except Parcel D part of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) and part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) ALL IN Section Thirty-Three (33), Township Eighty-Nine (89) North, Range (3) Three West of the 5th P.M., per plat recorded in Book 2006, Page 1869, all subject to Real Estate Contract recorded in Book 2000, Page 925;

And,

Parcel C part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Thirty Three (33), Township Eighty Nine (89) North, Range Three (3) West of the 5th P.M., Delaware County, Iowa per plat recorded in Book 2005, Page 1007; subject to Real Estate Contract recorded in Book 2000, Page 925 and Real Estate Contract recorded in Book 2005 Page 1746.

3. I hereby request that the auditor enter this information on the transfer books pursuant to Section 558.66 of the Iowa Code.

* 4. Form706, United States Estate Tax return, IS NOT required to be filed as a result of the death of the Decedent.

5. An Iowa inheritance tax return is not required to be filed pursuant to section 450.22 subsection 3.

Mary Ann Drees
Mary Ann Drees

Signed and sworn to (or affirmed) before me on JANUARY 15, 2009, by Mary Ann Drees.

Kenneth L. Moss
Kenneth L. Moss, Notary Public

* THE CORRECT OPTION MUST BE SELECTED TO DETERMINE WHETHER THE IOWA ESTATE TAX MAY CONSTITUTE A LIEN ON THE ABOVE DESCRIBED PROPERTY.

KENNETH L. MOSS
Iowa Notarial Seal
Commission Number: 200111
My Commission Expires: 5/8/10

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