18-26-351-001
18-26-301-001
18-26-201-001
18-26-176-001
18-26-326-001

STATE OF IOWA
County of Clayton } ss
Entered for taxation this 7th
day of December 2006 A.D.
Dennis Treitag
COUNTY AUDITOR

*2006R03992*

1/430

SUE MEYER
CLAYTON COUNTY RECORDER
ELKADER, IA
RECORDED ON
12/05/2006 11:16AM
REC FEE: 22.00
PAGES: 3
STAMP#:

Entered for taxation 18th day
of October A.D. 2010
Carla K. Becker Auditor
By J. Hildebrand Deputy
R-45

Book 2010 Page 3198

Document 2010 3198 Type 03 005 Pages 3
Date 10/18/2010 Time 11:45:49AM
Rec Amt $19.00 Aud Amt $5.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation ____ day
of ____ A.D. ____
Auditor
By ____ Deputy

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

THE IOWA STATE BAR ASSOCIATION
Official Form No. 339
**Recorder's Cover Sheet**

**Preparer Information:** (Name, address and phone number)
John C. Compton, 116½ W. Mission St., Box 8, Strawberry Point, IA 52076, Phone: (563) 933-4334

**Taxpayer Information:** (Name and complete address)
Bertha Battin, 204 S. Washington St., Edgewood, IA 52042

**Return Document To:** (Name and complete address)
John C. Compton, 116½ W. Mission St., Box 8, Strawberry Point, IA 52076, Phone: (563) 933-4334

**Grantors:**
Edwin P. Battin

**Grantees:**
Bertha Battin

**Legal description:** See page 3

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

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IOWADOCS®

| THE IOWA STATE BAR ASSOCIATION<br>Official Form No. 339 | John C. Compton ISBA # 0000995 | 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 CLAYTON ss:

I, Bertha Battin being first duly sworn on oath, depose and state as follows:

1. I am _____ is the surviving joint tenant of Edwin P. Battin (the "Decedent"), who died on the 3rd day of June, 2001.

2. The following described real estate was owned only by Decedent and this Affiant _____, as joint tenants with full rights of survivorship at the time of the Decedent's death:
See attached legal description.

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

4. This Affiant _____ is the Spouse of the Decedent. (For deaths occurring after July 1, 1997, parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children and biological children entitled to inherit under the laws of Iowa, stepchildren, and grandchildren, great-grandchildren, and other lineal descendants are exempt from Iowa inheritance tax.)

5. Form 706, United States Estate Tax return, WAS NOT * required to be filed as a result of the death of the Decedent.

6. An Iowa inheritance tax return was filed in the Estate of Edwin P. Battin, ESPR004411 and Acquittance is on file therein.

Bertha M. Battin
Bertha Battin

Subscribed and sworn to before me on December 1, 2006, by Bertha Battin.

JOHN C COMPTON
Notarial Seal - Iowa
Commission # 129361 8/31/07
My Commission Expires

John C Compton
John C. Compton, Notary Public

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

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Attached To and Made Part of
Affidavit of Surviving Spouse
Bertha Battin

PARCELS OWNED AS JOINT TENANTS WITH DECEDENT EDWIN P. BATTIN:

1. Lot One (1) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Twenty-six (26), being all of said Southwest Quarter (SW¼) of Southwest Quarter (SW¼) lying North of the Strawberry Point and Mallory Road, said lot containing 38.34 acres; also the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Twenty-six (26); all in Township Ninety-one (91) North, Range Five (5) West of the Fifth P.M.

♦ Joint tenancy established by Warranty Deed dated February 24, 1988 and filed February 24, 1988 in Book 149, Page 643 of the records of Delaware County, Iowa.

2. The West Half (W ½) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼), except the East two acres; and the East Three-eighths (E 3/8) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼); and the West One-fourth (W ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼); and the North Half (N ½) of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW¼), except the West three acres; and the South Half (S ½) of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), except one acre, more or less, being that portion of the northwest corner lying west of the public highway as now traveled; and the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼); all in Section Twenty-six (26), Township Ninety-one (91) North, Range Five (5), West of the 5th P.M., in Clayton County, Iowa.

♦ Joint Tenancy established by Warranty Deed dated November 14, 1956 and filed January 30, 1957 at Book 117, Deeds, Page 176 of the records of Delaware County, Iowa.

3. Commencing at the southwest corner of Lot 6, Block 4, of Gifford's Addition to Edgewood, Delaware County, Iowa, thence south 14 feet, thence east 88 feet, thence north 14 feet, thence west 88 feet to place of beginning; and, the north 54 feet of Lots 7, 8, 9 and 10, in Block 4 of Gifford's Addition to Edgewood, Iowa, except that portion thereof described as the north 54 feet of Lot 10 and the north 54 feet of the east half of Lot 9 thereof.

♦ Joint Tenancy established by Court Officer Deed dated August 6, 1973 and filed October 8, 1973 at Book 34, T.L.D., Page 34 of the records of Delaware County, Iowa.