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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 9th day
of February A.D., 2011
Carla K. Becker Auditor
By P. Hildebrand Deputy
88-100

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)
E. Michael Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057, Phone: (563) 927-4164

Taxpayer Information: (Name and complete address)
Betty J. Bates, 555 S Rockrimmon Blvd Apt 148, Colorado Springs, CO 80919-2039

Return Document To: (Name and complete address)
E. Michael Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057, Phone: (563) 927-4164

Grantors:
Robert E. Bates

Grantees:
Betty J. Bates

Legal description: See Page 2 & 3

Document or instrument number of previously recorded documents:

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THE IOWA STATE BAR ASSOCIATION Official Form No. 177	E. Michael Carr	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 COLORADO, COUNTY OF EL PASO

I, Betty J. Bates, being first duly sworn on oath, depose and state as follows:

1. I am [is] the surviving spouse of Robert E. Bates, who died on the 22nd day of December 2010.

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

That part of Lot Nine (9) of Connolly's Riverview Addition to Delaware County, Iowa, according to plat recorded in Book 2 Plats, Pages 86-87, described as commencing on the South line of said Lot Nine (9) at a point seventy five (75.00) feet West of the Southeast corner of said Lot Nine (9), thence on a line parallel with the East line of said Lot Nine (9) Northwesterly a distance of seventy (70.0) feet, thence in a Westerly direction sixty (60.0) feet to a point forty three (43.0) feet North of the Southwest corner of said Lot Nine (9), thence Southerly forty five (45.0) feet to a point ten (10.0) feet East of the Southwest corner of said Lot Nine (9) and on the South line of said Lot, thence Easterly along the South line of said Lot seventy (70.0) feet to the point of beginning; and that tract of land lying South of said portion of Lot Nine (9) extended to the water's edge; same being a part of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Thirty (30), Township Eighty Eight (88) North, Range Four (4), West of the Fifth P.M.

AND

That tract of land (perpetual usage) lying South of Lot 9 of Connolly's Riverview Addition to Delaware County, Iowa, and being a part of the Southwest Quarter of Northeast Quarter of Section Thirty (30), Township Eighty-eight (88) North, Range Four (4), West of the Fifth P.M., Delaware County, Iowa, and subject to all easements of record, described as follows: Beginning on the South line of said Lot 9 at a point seventy-five (75) feet West of the Southeast corner of said Lot 9; thence Westerly along the South line of said Lot 9 a distance of seventy (70) feet to a point on the said South line of said Lot 9 which point is ten (10) feet East of the Southwest corner of said Lot 9; thence Southeasterly at right See 1 in Addendum

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 Iowa Code Section 450.22 subsection 3.

Betty J. Bates

Betty J. Bates

Signed and sworn to (or affirmed) before me on 2-3-11, by Betty J. Bates

DAWN CUNNINGHAM
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 08/18/2012

Dawn Cunningham 2-3-11
, 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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Addendum

1. angles to the middle of the Maquoketa River, thence along the middle of said river in a Northeasterly direction to a point in the middle of the said river which is Southeasterly of the point of beginning; thence Northwesterly to the point of beginning. Subject to the following restrictive covenants: 1. Same is subject to the existing flood plain rights and the grantees shall hold grantors harmless with regard to flooding of the property conveyed. 2. The grantees and their successors are restricted from changing or altering lake frontage without the written permission of the grantors. The foregoing is intended to describe and to convey to grantees the perpetual usage of the tract of land extended at right angles to the middle of the Maquoketa River which lies South of that portion of Lot 9 of Connolly's Riverview Addition to Delaware County, Iowa, described in Deed recorded September 1, 1961, in Book 82, Page 195 in the office of the Recorder of Delaware County, Iowa. The grantees by acceptance of this Deed hereby agree to indemnify and hold the grantors harmless for any and all loss, damage, and expense by reason of overflowing or flooding of the above described laud subsequent to the date hereof on account of or arising out of the operation of the existing hydroelectric dam over the Maquoketa River.