Entered for taxation 20th day
of June AD 2013
Carla K. Becker Auditor
By P. Hildebrand Deputy

Book 2013 Page 2073

Document 2013 2073 Type 03 005 Pages 4
Date 6/19/2013 Time 12:42:21PM
Rec Amt $22.00 Aud Amt $5.00

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:
Michael O. McDermott, Shuttleworth & Ingersoll, P.L.C., P.O. Box 2107, Cedar Rapids, Iowa; (319) 365-9461

Taxpayer Information:
John F. Hess, 2115 First Avenue SE, Cedar Rapids, IA 52402

Return Document To:
Michael O. McDermott, Shuttleworth & Ingersoll, P.L.C., P.O. Box 2107, Cedar Rapids, Iowa

Grantors: John F. Hess
Darlene A. Hess
Darlene Ann Hess

Grantees: John F. Hess

Legal Description: See Page 2 and 4

Document or instrument number of previously recorded documents:

AFFIDAVIT OF SURVIVING SPOUSE
FOR CHANGE OF TITLE TO REAL ESTATE

STATE OF IOWA, COUNTY OF LINN, ss:

I, John F. Hess, being first duly sworn on oath, depose and state as follows:

1. I am the surviving spouse of Darlene A. Hess, a/k/a Darlene Ann Hess, who died May 22, 2013.

2. The following described real estate located in Delaware County, Iowa was owned by the undersigned, John F. Hess, and Darlene A. Hess, husband and wife, as joint tenants with full rights of survivorship, and not as tenants in common, at the date of death of Darlene A. Hess by virtue of a Warranty Deed dated February 13, 2012, filed of record February 20, 2012 and recorded as Document No. 2012 573 in Book 2012 at Page 573 of the records of the Delaware County Recorder:

The following described real estate situated in Delaware County, Iowa:

Lot One (1) of A. J. Schmidt First Subdivision, Delaware County, Iowa, according to the Plat Recorded in Book 2 Plats Page 110; same being part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Thirty (30), Township Eighty-Eight (88) North, Range Four (4), West of the Fifth Principle Meridian.

and

The North Seventy-Five (75') feet of Lot Sixteen (16), of the recorded Plat of Connolly's Riverview Addition, same being part of Section Thirty (30), Twp. 88 North, Range 4 West, Delaware County, Iowa, and the perpetual use to the water's edge as described in that portion of North Seventy-Five (75') feet of Lot Sixteen (16), or the recorded Plat of Connolly's Riverview Addition.

and

The following described real estate described on Exhibit A hereto

Subject, nevertheless, to all conditions, covenants, easements and restrictions of record.

3. There is no lien against the above described property for federal estate tax nor for Iowa inheritance tax as a result of the death of Darlene A. Hess, since the Estate of Darlene A. Hess is not required to file a federal estate tax return or pay federal estate tax, nor is the Estate required to file an Iowa inheritance/estate tax return or pay Iowa inheritance/estate tax.

4. The undersigned hereby requests that the Auditor of Delaware County, Iowa enter this information in the transfer books pursuant to Section 558.66 of the Code of Iowa.

Dated this 17th day of June, 2013.

John F. Hess

This instrument was subscribed and sworn to before me this 17th day of June, 2013 by John F. Hess.

Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
MICHAEL O. McDERMOTT
Commission Number 206094
My Commission Expires
June 15, 2016

EXHIBIT A

The following described real estate situated in Delaware County, Iowa: to-wit:

All lake frontage forming a tract of land lying between the North boundary line extending linearly to the water's edge and the South boundary line extending linearly to the water's edge, said boundary lines being then extended to the middle of Lake Delhi such that the intersection of the North boundary line with the middle of Lake Delhi forms a right angle, and such that the South boundary line extends to the middle of Lake Delhi from the water's edge along the same boundary line as the Northern boundary line running from water's edge to the middle of Lake Delhi described in the Quit Claim Deed recorded in the office of the Delaware County Recorder on the 9th day of April, 1976 in Book 99, at Page 124; subject, nevertheless, to the following restrictions and covenants:

1. This Deed is given subject to the existing flood plain rights, and Grantees shall hold Lake Delhi Recreation Association, Inc. harmless with respect to flooding of the property conveyed.

2. The Grantees and their Successors are restricted from changing or altering this lake frontage without the prior written permission of Lake Delhi Recreation Association, Inc.

3. It is the intent of the conveyance by Lake Delhi Recreation Association, Inc. to extend any existing easements that run to Interstate Power Company's Lake Delhi property line across adjacent property to the water's edge.