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of March AD 2014
Carla V. Becker Auditor
By P. Hildebrand Deputy

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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 #177
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)
Daniel H. Swift, 108 N. Madiso Street, PO Box 207, Manchester, IA 52057, Phone: (563) 927-4901

Taxpayer Information: (Name and complete address)
Mark J. Swift, 145 West South Street, Marengo, Iowa 52301

Return Document To: (Name and complete address)
Mark J. Swift, 145 West South Street, Marengo, Iowa 52301

Grantors:
Mark J. Swift
Jayne M Swift

Grantees:
Mark J. Swift

Legal description: See Page 3

Document or instrument number of previously recorded documents:

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THE IOWA STATE BAR ASSOCIATION Official Form No. 177	Daniel H. Swift	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 IOWA, ss:

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

1. I am [~~_____ is~~] the surviving spouse of Jayne M. Swift, who died on April 27, 2001.
2. The following described real estate was owned only by Jayne M. Swift and this Affiant [~~or _____~~], as joint tenants with full rights of survivorship at the time of Jayne M. Swift's death:

See 1 in Addendum

3. Title was conveyed to the surviving spouse and the decedent by instrument filed on May 7, 1991, with reference number of Book 128, Page 8, and on May 7, 1991 in Book 128, Page 9.
4. I hereby request that the auditor enter this information on the transfer books pursuant to Section 558.66 of the Iowa Code.
5. Form706, United States Estate Tax return, IS NOT required to be filed as a result of the death of the Decedent.*
6. An Iowa inheritance tax return is not required to be filed pursuant to Iowa Code Section 450.22 subsection 3.

Mark J. Swift, Affiant

Signed and sworn to (or affirmed) before me this 21st day of March, 2014, by Mark J. Swift.

NOTARIAL SEAL

HOLLY DISTERHOFT
Commission Number 764584
My Commission Expires
9-9-16

Holly Disterhoft
Signature of 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. That tract described as commencing at a point 1296 feet South of the Northwest corner of the Southeast Quarter of Section 24, Township 88 North, Range 5, West of the 5th P.M., and running thence South 60° East 171.1 feet, thence South 35° 40' West 148 feet, thence North 73 ° 30' West 67 feet , thence North along the West line of said Southeast Quarter 184 feet to the point of beginning;

   Also that tract described as commencing at a point 1296 feet South of the Northwest corner of the Southeast Quarter of Section 24, Township 88 North, Range 5, West of the 5th P.M., and running thence South 184 feet, thence West 21 feet, thence North 100 feet to a point 13 feet West of the East line of the Southwest Quarter of said Section 24, thence North 84 feet to a point 10 feet West of the East line of the Southwest Quarter of said Section 24, thence East 10 feet to the point of beginning;

   Also the right of use of roadway described in Deed of A.R. Wheeless and Josie M. Wheeless, husband and wife, to Harold H. Brown dated August 6th, 1938 and filed August 9th, 1938 in Book 66, of Deed Records in Office of Recorder of Delaware County, Iowa, in common with others rightfully using the same; also the use in common with others rightfully using the same of a private roadway extending from the South end of the aforesaid property in a southerly and westerly direction to the premises herein conveyed, and the right to improve and maintain the same;

   Also that tract commencing at a point 1480.0 feet South of the Northwest (NW) corner of the Southeast Quarter (SE 1/4) of Section Twenty-four (24), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth P.M., Delaware County, Iowa, thence South 73° -30' East 67.0 feet to the point of beginning; thence South 73° -30' East 50.0 feet, thence North 35° -40' East 237.8 feet to the North line of the Southwest Quarter (SW 1/4) of said Southeast Quarter (SE 1/4), thence West along said North line 203.2 feet, thence South 60° -00' East 117.6 feet, thence South 35°-40' West 148.0 feet to the point of beginning, said Parcel containing approximately 0.35 acres subject to rights and easements of record; and

   All lake frontage running to the waterfront and then at right angles to the middle of Delhi Lake, also called Hartwick Lake, in respect to and adjoining premises heretofore described; subject to the following convenants:

   1. Same is subject to the existing flood plain rights and the Grantees shall hold Grantors harmless with respect 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.