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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 12th day
of October AD 2017
Carla K. Becker, Auditor
By P. Hildebrand Deputy

# AFFIDAVIT OF SURVIVING SPOUSE FOR CHANGE OF TITLE TO REAL ESTATE
## 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)
Dianne K. Foust, 709 Anderson Street, Manchester, Iowa 52057

**Return Document To:** (name and complete address)
E. Michael Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057

**Grantors:**
Richard J. Foust a/k/a Richard Foust

**Grantees:**
Dianne K. Foust a/k/a Dianne Foust

**Legal Description:** See Page 2 & 3

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

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

STATE OF IOWA, COUNTY OF DELAWARE, ss:

I, Dianne K. Foust a/k/a Dianne Foust, being first duly sworn on oath, depose and state as follows:

1. I am the surviving spouse of Richard J. Foust a/k/a Richard Foust, who died on January 15, 2017.
2. The following described real estate was owned only by Richard J. Foust a/k/a Richard Foust and this Affiant, as joint tenants with full rights of survivorship at the time of Richard J. Foust's death:

Lot Two (2) of Soppe & McCrabb's Subdivision, City of Manchester, Delaware County, Iowa, according to plat recorded in Book 2010, Page 2185.
AND
The Southeast Quarter (SE¼) and the East one-half (E½) of the Southwest Quarter (SW¼) of Section Twenty Six (26), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., except Parcel C Part Of The Southeast Quarter (SE¼) Of The Southwest Quarter (SW¼), And Part Of The Southwest Quarter (SW¼) Of The Southeast Quarter (SE¼), All In Section Twenty-Six (26), Township Eighty-Nine North (T89N), Range Five West (R5W) Of The Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 2009, Page 1468 and further excepting Parcel D, part of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼), part of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), part of the Southwest Quarter (SW¼), of the Southeast Quarter (SE¼) and part of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) all in Section Twenty-Six (26), Township Eighty-Nine North (T89N), of Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa according to plat recorded in Book 2013, Page 314.
AND
That part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Thirty five (35), Township Eighty nine (89) North, Range Five (5), West of the Fifth P.M., lying North of the railway, except that part conveyed to the State of Iowa by Warranty Deed recorded in Book 62 L.D., Page 241.
AND
Lots Two (2) and Three (3) of Wulfekuhle Subdivision in the W½ of the NW¼ Section 27-T89N-R5W Delaware County, Iowa, according to plat recorded in Book 2009, Page 443
AND
That part of Lot Five (5) of the Subdivision of South West Quarter and South one half of North West Quarter of Section Twenty Eight (28), Township Eighty Nine (89) North, Range Five (5), West of the Fifth Principal Meridian, described as commencing on the East line of East Street (kna Anderson Street) in Manchester, Iowa, at a point which is four hundred twenty one and eighty-six one-hundredths (421.86) feet North from the South line of the North East Quarter of South West Quarter of said Section Twenty Eight

(28) and running thence East One Hundred Twenty-five (125) feet, thence North Seventy-eight (78) feet, thence West One Hundred Twenty-five (125) feet to the East line of East Street, thence South along said East line of East Street Seventy-eight (78) feet to point of beginning
AND
Lot Three (3) of Foust First Addition, a Subdivision of Lot 5 (except Parcel No. 1), Tibbott's First Addition, a Subdivision of Part of Lot 5 of the Subdivision of the SW¼ & the S½ of the NW¼ of Section 28-89-5, City of Manchester, Delaware County, Iowa according to plat recorded in Book 2002, Page 3414
AND
Lot Four (4) of Foust First Addition, a Subdivision of Lot 5 (except Parcel No. 1), Tibbott's First Addition, a Subdivision of Part of Lot 5 of the Subdivision of the SW¼ & the S½ of the NW¼ of Section 28-89-5, City of Manchester, Delaware County, Iowa according to plat recorded in Book 2002, Page 3414
AND
Lot Seven (7) of Foust First Addition, a Subdivision of Lot 5 (except Parcel No. 1), Tibbott's First Addition, a Subdivision of Part of Lot 5 of the Subdivision of the SW¼ & the S½ of the NW¼ of Section 28-89-5, City of Manchester, Delaware County, Iowa according to plat recorded in Book 2002, Page 3414
AND
Lot Three (3) of "Homeworks Subdivision" being a subdivision of Parcel J in Section 33, Township 89 North, Range 5 West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa, according to plat recorded in Book 1999, Page 232

3. Title was conveyed to the surviving spouse and the decedent by instruments filed on 8/12/2010, 4/30/2009, 4/30/2009, 12/28/2012, 9/7/1977, 1/25/2010, 4/3/1964 with reference number of Book 2010, Page 2451; Book 2009, Page 1731; Book 2009, Page 1732; Book 2012, Page 4582; Book 102, Page 167; Book 2010, Page 241; Book 83, Page 530.

Warranty Deeds

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.

Dianne K. Foust
Dianne K. Foust

Signed and sworn to (or affirmed) before me on October 11th, 2017, by Dianne K. Foust.

Signature of Notary Public

E. MICHAEL CARR
Commission Number 222
My Commission Expires
December 10, 2019