

BK: 2020 PG: 2809
Recorded: 8/3/2020 at 12:24:18.0 PM
Pages 3
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.32
Combined Fee: \$20.32
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

Prepared by: David J. Hellstern, 6601 Westown Parkway, Suite 200, West Des Moines, IA 50266-7733
(515) 244-3500

Return to: David J. Hellstern, 6601 Westown Parkway, Suite 200, West Des Moines, IA 50266-7733

AFFIDAVIT EXPLANATORY OF TITLE

RE: The Fractional Southwest Quarter (1/4) of the Southwest Quarter
(1/4) of Section Twenty-four (24) in Township Seventy-six (76)
North, Range Twenty-six (26) West of the 5th P.M., Madison County,
Iowa.

STATE OF IOWA, COUNTY OF Madison ss:

I, Stephen Ray Weisenbach, being first duly sworn on oath, depose and state as follows:

1. I am the owner of a property located at 3311 200th Lane, Prole, Iowa 50229 and legally described above.
2. Pursuant to my Dissolution of Marriage Decree entered on March 2, 2009 in Madison County Case CDDM005818, my ex-wife Holly Lynn Heskett f/k/a Holly Lynn Weisenbach and I were to sell the above mentioned property and split the net proceeds.
3. When the property could not be sold, I agreed to take over the property and the

- expenses, and release Holly from all liabilities related to the property, particularly the mortgage, to prevent us both losing the house in foreclosure.
4. In return for me taking over the property, Holly agreed to deed over any interest that she had in the property, and did so by filing a Quit Claim Deed dated December 20, 2011 and filed on January 3, 2012 in Book 2012 at Page 21 in the office of the Madison County Recorder.
 5. The language of the Quit Claim Deed Holly filed states "**This Quit Claim Deed is being executed in fulfillment of a Decree of Dissolution of Marriage filed March 2, 2009 in Madison County, Iowa.**" (emphasis added).
 6. After the filing of this deed, Wells Fargo allowed me alone to modify the mortgage and said Modification was signed on January 11, 2013 and filed on April 2, 2013 in Book 2013, Page 953 in the office of the Madison County Recorder.
 7. Holly passed away on October 8, 2012, and therefore is not able to provide any further documentation regarding receipt and satisfaction pursuant to the terms of our divorce Decree, but I hereby state that I satisfied any and all requirements of the Decree, and the final act of taking over the house completed said requirements.
 8. Holly's past attorney, Michael P. Holzworth, filed an Attorney Fee Lien on February 6, 2020 in the divorce case, Madison County Case CDDM005818, however there are no funds pursuant to the Decree of Dissolution in the matter that are due to Holly after her filing of the Quit Claim Deed, therefore there are

no funds available for Mr. Holzworth pursuant to his lien.

Further affiant sayeth naught.

July __, 2020.

SW
August 3rd

Stephen R. Weisenbach
Stephen Ray Weisenbach, Affiant

Subscribed and sworn before me this 3 day of August, 2020 by Stephen Ray Weisenbach.

EWilson
Notary Public in and for the State of

Iowa

STAMP

