

BK: 2023 PG: 1089
Recorded: 5/18/2023 at 8:57:45.0 AM
Pages 3
County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$25.00
Revenue Tax:
BRANDY L. MACUMBER, RECORDER
Madison County, Iowa

TITLE STANDARD 9.8 AFFIDAVIT
Recorder's Cover Sheet

Preparer Information:

Samuel H. Braland, P.O. Box 370, Earlham, Iowa 50072 (515)758-2267

Taxpayer Information:

Steven D. and Sandra Jo Frame
34599 Maple Ridge Drive
Adel, Iowa 50003

Return Document To:

Samuel H. Braland
P.O. Box 370
Earlham, Iowa 50072

Grantors:

Michael E. O'Brien

Grantees:

Carol J. O'Brien

TITLE STANDARD 9.8 AFFIDAVIT

TO WHOM IT MAY CONCERN:
STATE OF IOWA, MADISON COUNTY, ss:

Regarding the following described real estate owned by Michael E. O'Brien also known as Michael J. O'Brien, Deceased:

An undivided one-half interest in and to:

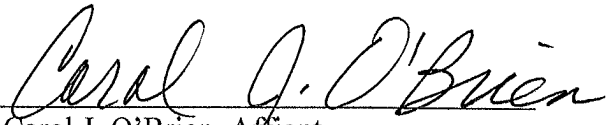
A tract of land located in the East Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Twenty-seven (27), described as follows, to-wit: Beginning at the Southwest corner of the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Twenty-seven (27), running thence South 99 feet, thence East 771.1 feet, thence North $1^{\circ}36'$ West 223.3 feet, thence North $89^{\circ}12'$ West 784.6 feet, thence South $0^{\circ}16'$ East 139.1 feet, thence East 18.7 feet to the point of beginning, containing 4.12 acres, **EXCEPT** that part of Parcel "B" located in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Twenty-seven (27), as shown in Plat of Survey filed in Book 2, Page 404 on July 16, 1993, in the Office of the Recorder of Madison County, Iowa.

The undersigned first being duly sworn (affirmed) upon oath deposes and states:

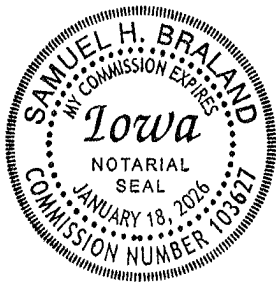
1. Michael E. O'Brien died on March 25, 2018.
2. His estate has not been administered upon, nor has his Will, if any, been admitted to probate within five (5) years following his death. Michael E. O'Brien was survived by his spouse, Carol J. O'Brien, and one child, Kelley Hauschildt, who is the child of Michael E. O'Brien and his surviving spouse, Carol J. O'Brien.
3. Michael E. O'Brien and Carol J. O'Brien, husband and wife, as tenants in common, acquired title to the above described real estate pursuant to warranty deed recorded on October 5, 1977 in Book 107, Page 112, in the Office of the Recorder of Madison County, Iowa. The deed contains a scrivener's error where it states that title was conveyed to Michael J. O'Brien and Carol J. O'Brien, husband and wife, when in truth and in fact title was conveyed to Michael E. O'Brien and Carol J. O'Brien, husband and wife. In the chain of title to the above described real estate where the names Michael J. O'Brien and Michael E. O'Brien appear, they refer to one and the same person, namely Michael E. O'Brien. Michael E. O'Brien's estate has not been administered upon. In accordance with Section 633.211(1), Code of Iowa, title to the above described real estate passed to the surviving spouse, Carol J. O'Brien, as the result of the death of Michael E. O'Brien.
4. No Iowa Inheritance Tax or estate tax was due as a result of the death of Michael E. O'Brien.
5. No Federal Estate tax return was required to be filed as the result of the death of Michael E. O'Brien.

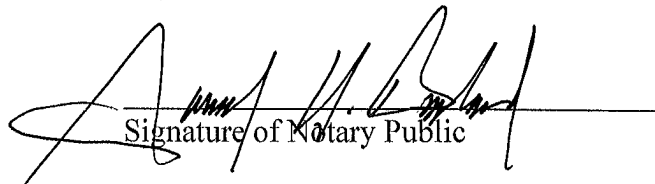
6. I hereby request that the Auditor enter this information on the transfer books in accordance with Section 558.66, Code of Iowa, and change title to the above described real estate into the name of Carol J. O'Brien.

Dated on May 17, 2023.


Carol J. O'Brien, Affiant

Signed and sworn to before me on May 17, 2023 by Carol J. O'Brien.




Signature of Notary Public