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LISA SMITH, COUNTY RECORDER  
MADISON IOWA

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

THE IOWA STATE BAR ASSOCIATION

Official Form No. 339

Recorder's Cover Sheet

**Preparer Information:** (name, address and phone number)

Kent A. Balduchi, 2801 Hubbell Avenue, Des Moines, IA 50317, Phone: (515) 247-9297

**Taxpayer Information:** (name and complete address)

Melanie Vivone, 2419 160th Street, Van Meter, IA 50061

**Return Document To:** (name and complete address)

Melanie Vivone, 2419 160th Street, Van Meter, IA 50061

**Grantors:**

Michael Vivone

**Grantees:**

Melanie Vivone

**Legal Description:** See Page 2

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**Document or instrument number of previously recorded documents:** N/A

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

STATE OF IOWA, COUNTY OF POLK, ss:

I, Melanie Vivone, being first duly sworn on oath, depose and state as follows:

1. I am the surviving joint tenant of Michael Vivone (the "Decedent"), who died on the 14th day of March, 2006.
2. The following described real estate was owned only by Decedent and this Affiant, as ~~joint tenants with full rights of survivorship at the time of the Decedent's death:~~

The North 533 feet of Parcel "B", located in the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Thirty-three (33), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, and the East 20 feet of the remainder of Parcel "B", which would also be described as the East 20 feet of the South 785.90 feet of Parcel "B"

That part of the Southwest Quarter (1/4) of Section thirty-three (33), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Beginning at the Southwest corner of said Section Thirty-three (33); thence North 00°00' East (assumed for the purpose of this description only) along the west line of said Southwest Quarter (1/4) (determined by splitting existing right-of-way fences), 1340.06 feet; thence North 89°35' East, 685.24 feet, thence South 00°25' East, 920.0 feet; thence North 89°35' East, 275.0 feet; thence South 00°25' East, 420.0 feet to the south line of said Southwest Quarter (1/4) (determined by splitting existing right-of-way fences); thence South 89°35' West along said south line of the Southwest Quarter (1/4), 970.0 feet to the point of beginning; containing 23.88 acres, more or less, subject to road rights-of-way over the West 33 feet and South 40 feet thereof. Said road rights-of-way containing 1.94 acres, more or less, as fenced.

3. I hereby request that the auditor enter this information on the transfer books pursuant to Section 558.66 of the Iowa Code.
4. This Affiant is the Wife of the Decedent. (For deaths occurring after July 1, 1997, parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children and biological children entitled to inherit under the laws of Iowa, stepchildren, and grandchildren, great-grandchildren, and other lineal descendants are exempt from Iowa inheritance tax.)
5. Form 706, 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 section 450.22 subsection 3.

Melanie Vivone

Melanie Vivone

Subscribed and sworn to before me on January 26, 2007, by Melanie Vivone.

Ken A. Balducci  
Notary Public in and for the State of Iowa

\* THE CORRECT OPTION MUST BE SELECTED TO DETERMINE WHETHER THE IOWA ESTATE TAX MAY CONSTITUTE A LIEN ON THE ABOVE DESCRIBED PROPERTY.

