



Document 2018 420

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Rec Amt \$27.00 Aud Amt \$10.00

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

**AFFIDAVIT OF SURVIVING SPOUSE
FOR CHANGE OF TITLE TO REAL ESTATE
Recorder's Cover Sheet**

Preparer Information: (name, address and phone number)

Mark L. Smith, POB 230, Winterset, IA 50273, Phone: (515) 462-3731

Taxpayer Information: (name and complete address)

Carol Kiernan, 315 West Lane, Winterset, IA 50273

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

Mark L. Smith, POB 230, Winterset, IA 50273

Grantors:

Gary Kiernan

Grantees:

Carol Kiernan

Legal Description: See Page 2

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

STATE OF IOWA, COUNTY OF MADISON, ss:

I, Carol Kiernan, being first duly sworn on oath, depose and state as follows:

1. I am the surviving spouse of Gary Kiernan, who died on February 17, 2017.
2. The following described real estate was owned only by Gary Kiernan and this Affiant, as joint tenants with full rights of survivorship at the time of Gary Kiernan's death:

See Attached Legal Descriptions


3. Title was conveyed to the surviving spouse and the decedent by:

Legal Description No. 1 – Conveyed by Warranty Deed from Carol Funke, Trustee Under a Trust Agreement Dated December 30, 1974, filed in Book 63, Page 514 of the Recorder's Office of Madison County, Iowa;

Legal Description No. 2 - Conveyed by a Warranty Deed from Thomas L. Marquardt and Tracy J. Marquardt, Husband and Wife, filed in Book 141, Page 567 of the Recorder's Office of Madison County, Iowa; and


Legal Description No. 3 – Conveyed by a Warranty Deed from Kenneth Davis and Donna Davis, Husband and Wife, filed in Book 135, Page 19 of the Recorder's Office of Madison County, Iowa.

4. I hereby request that the auditor enter this information on the transfer books pursuant to Section 558.66 of the Iowa Code.
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 Iowa Code Section 450.22 subsection 3.

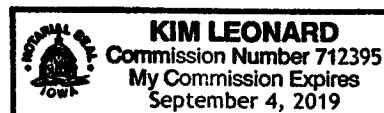


Carol Kiernan

Signed and sworn to (or affirmed) before me on February 6, 2018, by
Carol Kiernan.



Signature of Notary Public



LEGAL DESCRIPTION No. 1

Lot Two (2) of Circle Heights First Addition to Winterset, Madison County, Iowa;

LEGAL DESCRIPTION NO. 2

- c. **Legal description:** A part of Parcel "A", located in the Southeast Quarter (¼) of the Southwest Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows, to-wit: Commencing at the South Quarter corner of said Section Thirty-five (35), thence along the South line of the Southwest Quarter (¼) of said section on an assumed bearing of North 90°00'00" West a distance of 1388.04 feet; thence North 00°15'29" West 63.09 feet to the Southeast corner of Parcel "A" of Plat filed in Plat Book 1, Page 92, Madison County Recorder's Office, and also being on the North Right of Way line of Iowa Highway 92 and the Point of Beginning; thence continuing North 00°15'29" West 125.82 feet; thence South 88°49'26" West 109.14 feet; thence South 00°15'14" East 123.75 feet to aforesaid Right of Way line; thence North 89°54'35" East 109.14 feet to the Point of Beginning, containing 0.313 acres more or less.
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LEGAL DESCRIPTION NO. 3

A parcel of land described as follows, to-wit: Commencing at the South Quarter ($\frac{1}{4}$) corner of Section Thirty-five (35), in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence West along the South line of the Southwest Quarter ($\frac{1}{4}$) of said section 1388.04 feet (recorded as 1488.5 feet); thence North $00^{\circ}15'29''$ West 63.09 feet to a found $\frac{1}{4}$ " rebar being the Southeast corner of Parcel "A" of plat filed in Plat Book 1, Page 92, Madison County Recorder's Office, and also being on the North Right of Way line of Iowa Highway 92 and the Point of Beginning; thence continuing North $00^{\circ}15'29''$ West 125.82 feet; thence South $88^{\circ}49'26''$ West 109.14 feet; thence North $00^{\circ}41'48''$ West 32.07 feet; thence North $88^{\circ}51'07''$ East 109.29 feet; thence North $00^{\circ}27'35''$ West 51.10 feet; thence North $89^{\circ}51'26''$ East 120.43 feet; thence North $00^{\circ}12'49''$ West 72.51 feet; thence North $89^{\circ}43'32''$ West 864.31 feet; thence North $03^{\circ}07'55''$ East 13.91 feet; thence North $89^{\circ}59'45''$ West 230.64 feet; thence South $37^{\circ}21'18''$ West 106.30 feet; thence South $89^{\circ}19'15''$ East 159.86 feet; thence South $00^{\circ}05'29''$ West 194.10 feet, to the North Right of way line of Iowa Highway 92, thence along said line, South $89^{\circ}59'55''$ East 437.88 feet; thence South $78^{\circ}47'12''$ East 101.95 feet; thence North $89^{\circ}54'35''$ East 342.31 feet to the Point of Beginning, containing 5.942 acres, more or less, subject to a 20 feet sewer easement along part of the North side and to a 12 feet access easement along part of the South side of described parcel, and except a parcel of land in the Southwest Quarter ($\frac{1}{4}$) of Section Thirty-five (35), Township Seventy-six (76) North,

Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as: Commencing at the South Quarter ($\frac{1}{4}$) corner of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence along the South line of the Southwest Quarter of said section on an assumed bearing of North $90^{\circ}00'00''$ West a distance of 1388.04 feet; thence North $00^{\circ}15'29''$ West 63.09 feet to the Southeast corner of Parcel "A" of plat filed in Plat Book 1, Page 92, Madison County Recorder's Office, and also being on the North Right of Way line of Iowa Highway 92 and the Point of Beginning; thence continuing North $00^{\circ}15'29''$ West 125.82 feet; thence South $88^{\circ}49'26''$ West 109.14 feet; thence South $00^{\circ}15'14''$ East 123.75 feet to aforesaid Right of Way line; thence North $89^{\circ}54'35''$ East 109.14 feet to the Point of Beginning, containing 0.313 acres, more or less, together with a 35 foot wide easement for ingress and egress abutting the West side of herein described parcel and together with an easement for a water line described as: Commencing at the South Quarter ($\frac{1}{4}$) corner of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence along the South line of the Southwest Quarter ($\frac{1}{4}$) of said Section on an assumed bearing of North $90^{\circ}00'00''$ West a distance of 1388.04 feet; thence North $00^{\circ}15'29''$ West 63.09 feet to the Southeast corner of Parcel "A" of plat filed in Plat Book 1, Page 92 Madison County Recorder's Office, and also being on the North Right of Way line of Iowa Highway 92; thence S. $89^{\circ}54'35''$ West 109.14 feet; thence North $00^{\circ}15'14''$ West 93.13 feet to the Point of Beginning; thence continuing North $00^{\circ}15'14''$ East 30.62 feet; thence North $00^{\circ}41'48''$ West 32.07 feet; thence North $88^{\circ}51'07''$ East 15.00 feet; thence North $00^{\circ}41'48''$ West 126.84 feet; thence North $89^{\circ}43'32''$ West 35.00 feet; thence South $00^{\circ}41'48''$ East 190.00 feet; thence North $90^{\circ}00'00''$ East 19.76 feet to the point of beginning.