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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return To: Erik R. and Becky L. Munson, 3205 Feather Ridge Rd., Toddville, IA 52341
Preparer: James C. Holmes, 329 10th Ave SE Ste 126, Cedar Rapids, IA 52401, (319) 365-6259

(X)
a

AFFIDAVIT EXPLANATORY OF TITLE

RE: All lake frontage running to the middle of the Maquoketa River bed with regard to Lot Fifteen (15) of H.L.C. First Subdivision of part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and part of the Southeast Quarter (SE ¼) of Southwest Quarter (SW ¼) of Section Nineteen (19), Township Eighty Eight (88) North, Range Four (4), West of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 2 Plats, Page 176

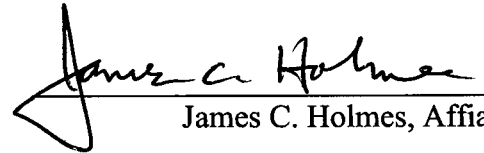
STATE OF IOWA, COUNTY OF LINN, ss:

I, James C. Holmes, being first duly sworn do on oath depose and state that I am well acquainted with the title and ownership of the above-described real estate located in Delaware County, Iowa, and do state as follows:

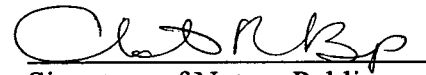
1. I am the attorney for Erik R. Munson, Trustee of the Erik R. Munson Revocable Trust u/d/o December 22, 2010 and I am the attorney for Becky L. Munson, Trustee of the Becky L. Munson Revocable Trust u/d/o December 22, 2010, who are the present titleholders of the above described real estate, and I am authorized to record this affidavit on behalf of said titleholders.
2. The above described real estate was conveyed to the Estate of Charles Leo McHugh by the Quit Claim deed recorded April 9, 1976, in Book 99, L.D., Page 127.
3. Charles Leo McHugh died testate on July 11, 1975 a resident of Linn County, Iowa and his estate was probated in Linn County, Iowa, with a transcript of said estate proceedings filed in the District Court of Delaware County as Probate Case No. P-1111. Under *Item III* of his Will, said decedent left the residuary of his estate, which includes the above described real estate, to Marlene Smejkal. Said decedent's estate was opened on July 16, 1975, and the final report of the Executor was approved and the estate was closed on May 11, 1979.
4. The transcript of decedent's Linn County probate proceedings indicates that the decedent died leaving no surviving spouse, that no child was born or adopted by the decedent after the execution of his Will, and that decedent's estate was fully administered and decedent's property was distributed exactly in accordance with the terms of decedent's Will.

5. On account of the passage of time and the facts spelled out above, no further showing is required to establish that marketable title to the above described real estate passed to Marlene Smejkal on May 11, 1979 when the Executor's final report in the Estate of Charles Leo McHugh was approved and his Estate was closed.
6. This affidavit is made for the purpose of persuading the Delaware County Auditor to enter the updated or corrected real estate ownership information regarding the above described real estate in the transfer books and index.
7. All of the foregoing is true and correct as I verily believe.
8. This affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders, and its parties in possession; and is for the purpose of explaining perceived defects in the chain of title to the above described real estate under the provision of Section 558.8, Code of Iowa.

Signed on February 11, 2019.


James C. Holmes, Affiant

Signed and sworn to before me on February 11, 2019 by James C. Holmes.


Signature of Notary Public

