



Book 2023 Page 2054

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Date 8/25/2023 Time 9:41:58AM  
Rec Amt \$22.00

Daneen Schindler, RECORDER/REGISTRAR  
DELAWARE COUNTY IOWA

Prepared By/Return To: Werner Hellmer, Day & Hellmer, PC, 137 First Avenue E, PO Box 342,  
Dyersville, IA 52040, Phone 563-875-9733

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### AFFIDAVIT EXPLANATORY OF TITLE

**RE: Lot 2 of the of the Subdivision of the Southeast ¼ of the Southeast ¼ of Section 13, and all that part of the Southeast ¼ of the Southeast ¼ of Section 13, Township 89 North, Range 3 West of the 5<sup>th</sup> P.M, not subdivided into Lots, according to plat recorded in plat book 1, page 150, Delaware County, Iowa in Delaware County, Iowa, containing 10.37 acres, more or less, subject to easements of record.**

STATE OF IOWA                    )  
  )        ss:  
COUNTY OF DUBUQUE        )

I, Werner Hellmer, being first duly sworn on oath state that:

1. I am a duly licensed and practicing attorney in the State of Iowa currently the designated attorney for the Estate of the late Verna Mae Johannes; Dubuque County Probate No. ESPR054172.
2. The Estate of Verna Mae Johannes, Dubuque County, Iowa was opened pursuant to Court Order “Admitting Will To Probate and Appointing Executor” dated March 16, 2023, appointing Dianne Steffen and James Bonert, as Co-Executors.
3. The estate has been transcribed from Dubuque County, Iowa to Delaware County, Iowa and opened as Delaware County Probate No. ESPR006787 on August 2, 2023, since the decedent also owned adjoining real estate in Delaware County, Iowa.

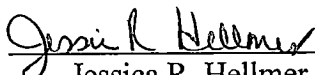
4. During the administration of said estate, it was noted that the decedent owned adjoining real estate farmland located in both Dubuque County and Delaware County, Iowa.
5. Said real estate was conveyed to the decedent by Quit Claim Deed dated March 26, 1999 and filed in the Office of the Dubuque County Recorder on March 29, 1999, as Instrument #5165-99. (Attached)
6. The aforementioned conveyance was recorded only in the Office of the Dubuque County Recorder. The conveyance erroneously included the above-referenced real estate located in Delaware County, Iowa. Said real estate should have been subject to a separate Quit Claim Deed and properly filed in the Office of the Delaware County, Iowa, Recorder.
7. I hereby request that the auditor enter the information on the transfer books pursuant to Iowa Code Chapter 558.

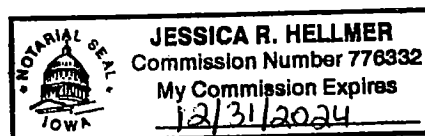
Further this affiant stateth not.

  
 \_\_\_\_\_  
 Werner Hellmer

STATE OF IOWA                    )  
   ) ss:  
 COUNTY OF DUBUQUE        )

On this 14<sup>th</sup> day of August, 2023, before me, the undersigned, a Notary Public in and for the said State, personally appeared to me Werner Hellmer, known to be the identical person named in and who executed the within and foregoing instrument and acknowledged that he executed same as his voluntary act and deed.

  
 \_\_\_\_\_  
 Jessica R. Hellmer



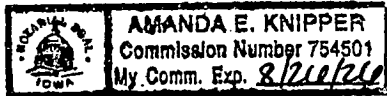
POWER OF ATTORNEY

The undersigned, duly court appointed co-executors of the Estate of Verna Mae Johannes, in possession of the above-stated real estate located in Delaware County, Iowa, hereby direct that this Affidavit be filed and hereby appoints the Delaware County Recorder wherein said land is situated as the authorized attorney in fact to file the same.

Dianne E Steffen 8/21/2023      James Bonert 8/21/2023  
Dianne Steffen                      James Bonert

Subscribed and sworn to before me, a Notary Public, by said Dianne Steffen and James Bonert, Co-Executors of the Estate of Verna Mae Johannes, this 21<sup>st</sup> day of August 2023.

Amanda Knipper  
Notary Public for the State of Iowa



*Kathy Flynn Thurlow*  
5165-99

'99 MAR 29 AM 9:52

KATHY FLYNN THURLOW  
COUNTY RECORDER  
DUBUQUE CO., IOWA FEES \$6.00

Preparer Information John J. Goen - 320 First Avenue East, Dyersville, (319) 875-6430

Individual's Name Street Address City Phone



QUIT CLAIM DEED

SPACE ABOVE THIS LINE FOR RECORDER

For the consideration of One Dollar and 00/100-----  
Dollar(s) and other valuable consideration,

Verna Mae Johannes, a single person; and,  
Hubert Weyer, a single person;

do hereby Quit Claim to Verna Mae Johannes

all our right, title, interest, estate, claim and demand in the following described real estate in  
Dubuque and Delaware County, Iowa:

Lot 1 (excepting therefrom a private roadway over the West 20 feet thereof as described in the deed recorded in Book U U page 196, records of Dubuque County, Iowa) and Lots 4 and 6 and Lot 2 of Lot 5 of the Subdivision of the West fractional half of the Southwest 1/4 and Northeast 1/4 of the Southwest fractional 1/4, all in Section 18, Township 89 North, Range 2, West of the 5th P.M., in Dubuque County, Iowa, and containing 106.97 acres, more or less, subject to all easements and Lot 2 of the Subdivision of the Southeast 1/4 of the Southeast 1/4 of Section 13, and all that part of the Southeast 1/4 of the Southeast 1/4 of Section 13, Township 89 North, Range 3, West of the 5th P.M., not subdivided into lots, according to plat recorded in plat book 1, page 150, Delaware County, Iowa in Delaware County, Iowa, containing 10.37 acres, more or less, subject to easements of record.

Exempt from Declaration of Value, Groundwater Hazard Statement per #10 - any deed given without actual consideration.

No documentary stamps necessary. Consideration less than five hundred dollars (\$500.00)

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: March 26, 1999

STATE OF IOWA, ss:  
Dubuque COUNTY,

On this 26<sup>th</sup> day of March,  
19 99, before me, the undersigned, a Notary Public in and for said State, personally appeared  
Verna Mae Johannes, a single person; and, Hubert Weyer, a single person

to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Iowa  
John J. Goen Notary Public  
(This form of acknowledgment for individual grantor(s) only)

Verna Mae Johannes (Grantor)  
Hubert Weyer (Grantor)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Grantor)