

BK: 2024 PG: 2947
Recorded: 12/6/2024 at 9:46:16.0 AM
Pages 8
County Recording Fee: \$42.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$45.00
Revenue Tax: \$0.00
BRANDY L. MACUMBER, RECORDER
Madison County, Iowa

Recorder's Cover Sheet

Prepare and Return to Information:

James L. Bergkamp, Jr., ICIS #AT0000823
Bergkamp, Hemphill & McClure, P.C., 218 S. 9th St., Adel, IA 50003
Phone: (515)993-1000

Grantors:

Brandi Mountain and Joseph Simpson

Grantee:

The Public

Document Type:

Affidavit in lieu of Surrender of Title for Manufactured or Mobile Home

Legal Description: Lot Three (3) in Block Thirteen (13) of Laughridge & Cassiday's Addition to the Town of Winterset, Madison County, Iowa;

AFFIDAVIT IN LIEU OF SURRENDER OF TITLE FOR MANUFACTURED OR MOBILE HOME

EXPLANATION / INSTRUCTIONS

1. This affidavit is authorized by Iowa Code 435.26B and may be used to effectuate a surrender of certificate of title for a manufactured or mobile home if an Iowa title has never been issued or was issued and has been surrendered previously.
2. A preparer (lawyer or agent) may assist with the document and should be noted below.
3. Part J (Execution by Owners) must be notarized. Therefore, this form must be signed as an original by all signatories at each step of the process.
4. When Parts A through H are complete, submit with all required attachments to Iowa DOT with payment of \$5.00 as per Administrative Rule 761.400.40(3). For questions regarding this form contact vehicle.recordpolicy@iowadot.us.

Please mail to:
 Systems and Administration Bureau
 Iowa Department of Transportation
 P.O. Box 9204
 Des Moines, IA 50306-9204

| OPTIONAL - Complete only if a preparer assisted with the document | | | |
|--|--|---|---|
| Preparer Name <i>Joanie Bergkamp</i> | | Preparer's Agency/Position <i>Lawyer</i> | |
| Address <i>PO Box 8</i> | | City <i>Adel</i> | State <i>IA</i> ZIP Code <i>52003</i> |
| E-mail* <i>joaniebergkamp@adellaw.com</i> | | Phone <i>515-993-1000</i> | |
| Return Completed Affidavit to: <i>Joanie Bergkamp PO Box 8 Adel, IA 52003</i> | | | |

* E-mail and phone are not required and will only be used for questions about this transaction; this information will not be retained.

| PART A - OWNER/ APPLICANT INFORMATION | | | |
|---|--|------------------------------|---|
| Owner No.1 Full Name or Business/Organization Name <i>Joseph Kelly Scott Simpson</i> | | | County of Residence <i>Madison</i> |
| Iowa Driver License number OR Iowa ID Card number OR Social Security Number OR FEIN if business <i>249CC5705</i> | | | |
| Address <i>806 E Jefferson St</i> | | City <i>Winterset</i> | State <i>IA</i> ZIP Code <i>50273</i> |
| E-mail* <i>JoeK.Simpson@gmail.com</i> | | Phone <i>515-974-7542</i> | |
| Owner No.2 Full Name or Business/Organization Name <i>Brandi Kay Mountain</i> | | | |
| Iowa Driver License number OR Iowa ID Card number OR Social Security Number OR FEIN if business <i>209CC0203</i> | | | |
| Address <i>806 E Jefferson St</i> | | City <i>Winterset</i> | State <i>IA</i> ZIP Code <i>50273</i> |

* E-mail and phone are not required and will only be used for questions about this transaction; this information will not be retained.
 Please attach a separate page if necessary for additional owners.

| PART B - DESCRIPTION OF MANUFACTURED OR MOBILE HOME (THE "HOME") | | | |
|--|---------------------------------------|--------------------|--|
| Year <i>1993</i> | Make <i>Friendship Homes of MN</i> | Model <i>18</i> | VIN or Serial Number* <i>MY9411554AV/BY</i> |

* If VIN or Serial number is unknown or uncertain, submit a photo of identification plate with as much information as possible.

PART C - STATEMENT OF OWNERSHIP, LIENS, ENCUMBRANCES OR SECURITY INTERESTS

Owner(s) has/have title or interest in the Home as follows:

Brundi Mountain, an unmarried person, and Joseph Simpson, an unmarried Person as Joint tenants with full Rights of Survivorship and not as tenants in common.

Indicate and detail persons or organizations that have a lien, encumbrance or security interest in the home:

☐ None ☐ One ☐ Two ☐ Three

| Name | Address, City, State, ZIP Code | Type of Interest |
|------|--------------------------------|------------------|
| | | |
| | | |
| | | |

Attach pages if necessary for additional explanation or statement of liens, encumbrances or security interests.

PART D - FACTS AFFECTING VALIDITY OF TITLE, LIENS, OR ENCUMBRANCES

Check one of the following:

☒ The owner(s) is/are NOT aware of (i) any other claim, lien, or encumbrance affecting the Home, (ii) any facts or information that could reasonably affect the validity of title to the home or the existence of any security interests in it.

☐ The owner(s) is/are aware of (i) another claim, lien, or encumbrance affecting the Home, and/or (ii) any facts or information that could reasonably affect the validity of title to the home or the existence of any security interests in it. Attach separate explanation.

PART E - RECORD OF PURCHASE / ACQUISITION

The current owner purchased / acquired the Home from the following (full name or business / organization name)

IB Trading LLC

| | | | |
|---------------------------|-------------------|-------------|-------------------|
| Address 223 W. Lane St | City Winterset | State IA | ZIP Code 50273 |
|---------------------------|-------------------|-------------|-------------------|

| | |
|---|--|
| How was the Home acquired (purchase, inheritance, etc.) 12/1/2022 Purchase | Date of Acquisition (approximate if needed) 12/1/2022 |
|---|--|

PART F - TITLE OPINION

This affidavit requires a written opinion by an attorney licensed to practice law in Iowa who has examined the abstract of title on the land upon which the Home is situated. The opinion states the names of the owners and holders of mortgages, liens or other encumbrances on the land upon which the Home is situated and notes the encumbrances along with any bonds securing the encumbrances. Utility assessments shall not be construed to be encumbrances.

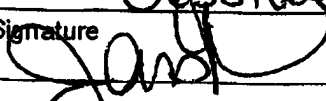
☒ Title opinion attached

PART G - CITY/ COUNTY ENDORSEMENT OF LOCATION

The Home is located on real property described in the attorney title opinion (Part F) and all the following apply:

1. The Home is located outside a manufactured home community or mobile home park; and
2. The Home has been converted to real estate by being placed on a permanent foundation; and
3. The Home has been entered on the tax rolls

Endorsed by City or County Assessor

| | | | |
|-----------|---|----------------------|----------------------|
| Full Name | Jessie Aldridge | Title / Jurisdiction | Madison Co. Assessor |
| Signature |  | Date | 11/18/24 |

PART H - STATEMENT OF TITLE SEARCH BY OWNER(S)

- ☒ After diligently searching for the same, the owner(s) has/have been unable to locate and produce a manufacturer's certificate of origin or a certificate of title for the Home.
- ☐ Owner(s) has/have no knowledge that a certificate of title has previously been issued or surrendered for the Home.

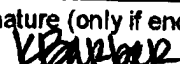
PART I - DEPARTMENT OF TRANSPORTATION ENDORSEMENT AND RECEIPT OF PAYMENT

☒ The department has searched its records and endorses this affidavit to certify (i) there is no record of a certificate of title having ever been issued or (ii) no record of a certificate of title that was issued and has not been surrendered. Furthermore, the department has found no record of any ownership interest contrary to the ownership interested asserted by the owner(s) and no lien, encumbrance, or security interest contrary to those specified by the owner(s) for the Home.

OR

☐ The department has searched its records and is unable to endorse this affidavit for the following reason(s):

☒ The owner(s) and/or the preparer has/have paid the \$5.00 fee required by Administrative Rule 761.400.40(3) for the review of this affidavit.

| | | | |
|---|---|-------|------------------------|
| Full Name | Kyle Barber | Title | First Deputy Treasurer |
| Signature (only if endorsing the affidavit) |  | Date | 11-19-24 |

PART J - DEPARTMENT OF TRANSPORTATION ENDORSEMENT AND RECEIPT OF PAYMENT

I (we) the undersigned, being first duly sworn (or affirmed) under oath, state of my (our) personal knowledge that all the preceding information set out in this affidavit is true and correct.

Joseph Simpson
Owner No. 1 Printed Name

Owner No. 2 Printed Name

f Joseph Simpson
Signature

Signature

Additional Owner Printed Name

Additional Owner Printed Name

Signature

Signature

For witnessing or attesting signature:

State of IOWA

County of DALLAS

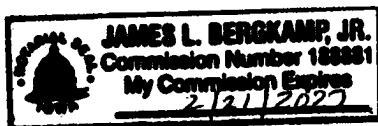
Signed (or attested) before me on

Date _____

Name of Notary James L. Bergkamp, Jr.

Signature of Notary James L. Bergkamp, Jr.

Official Seal



BERGKAMP, HEMPHILL & MCCLURE, P.C.
ATTORNEYS

218 SOUTH NINTH STREET • POST OFFICE BOX 8
ADEL, IOWA 50003
WWW.ADELLAW.COM

JAMES L. BERGKAMP, JR.
MATTHEW J. HEMPHILL
KARA L. MCCLURE*
*Certified Mediator

TELEPHONE: 515-993-1000
FACSIMILE: 515-993-3746
EMAIL: JAMIEBERGKAMP@ADELLAW.COM

December 4, 2024

241204-1B

Joseph Simpson
806 E. Jefferson St.
Winterset, IA 50273

Re: 806 E. Jefferson St., Winterset, IA 50273

Dear Joe:

This is to certify that I have examined the abstract of title in one part continued to December 4, 2022 at 8:00 o'clock a.m., with addendum thereto dated December 14, 2022, by Madison County Abstract Co., Winterset, Iowa, and a Form 900 search to September 19, 2024 at 5:00 o'clock p.m., by Service Abstract., Inc., Iowa, covering the following described real estate situated in Madison County, Iowa, to-wit:

Lot Three (3) in Block Thirteen (13) of Laughridge & Cassiday's Addition to the
Town of Winterset, Madison County, Iowa;

and I find good and merchantable title in:

Brandi Mountain and Joseph Simpson

by virtue of a special warranty deed from warranty deed from IB Trading, LLC, a Limited Liability Company, dated November 30, 2022 and recorded December 1, 2022 in Book 2022 at Page 3453;

subject to the following objections and criticisms, to-wit:

1. **MORTGAGE.** The Form 900 shows the above-described property is subject to a mortgage dated November 30, 2022 and recorded December 1, 2022 in Book 2022 at Page 3454, conveyed by Joseph Kelly Scott Simpson, an unmarried man, and Brandi Mountain, an unmarried woman, to Mortgage Electronic Registration Systems, inc., ("MERS") acting solely as a nominee

for Novus Home Mortgage, a division of Ixonia Bank, to secure an indebtedness in the principal amount of \$130,591.00.

2. **SURVEY.** Entry No. 12 of continuation #63130 shows a copy of the Plat of Survey of the above-described property recorded in Book 2, Page 181. You should review the plat in order to determine such matters as location of the boundaries of the real estate, access, utility easements, setback lines, and other matters that would be disclosed by an examination of the plat.

3. **WINTERSET ZONING AND SUBDIVISION ORDINANCES.** The abstract shows the above-described property is subject to the Zoning and Subdivision Ordinances of the City of Winterset, Iowa. For further particulars you should review the ordinances as they are set out at length in the office of the City Administrator of Winterset, Iowa.

4. **REAL ESTATE TAXES.** The Form 900 shows that for the real estate taxes for fiscal year 2023-2024, payable in fiscal year 2024-2025, the first installment of \$794.00 has been paid, and the second installment of \$794.00 has not been paid. The property is taxed as Parcel No. 820000613030000.

5. **PERSONAL LIEN SEARCHES.** The Form 900 shows the abstractor undertook personal lien searches against Brandi Mountain and Joseph Simpson, and none were found.

GROUND WATER HAZARD STATEMENT

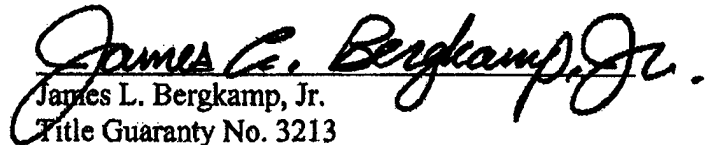
An abstract of title will not disclose the existence of hazardous wastes, underground storage tanks, drainage wells and other environmentally regulated activities. Federal, state and local legislation may, in the event there are environmental and/or public health violations, permit injunctive relief and require clean up such as removal and remedial actions. The costs of such clean up may be a lien against the property and a personal liability to the owner thereof. You may have liability even though you may not have disposed of hazardous wastes on the property or used any underground storage tanks or wells. The seller will be required to provide a Ground Water Hazard Statement to you. This statement is not certified and may have no legal effect upon the sellers.

CAUTION

Since the following cannot be determined by the examination of the abstract, your attention is called to the fact that you are required to take notice of the rights of all persons in possession of the real estate, other than the titleholder of record; any facts that would be disclosed by any surveys; the right to file mechanic's liens against the premises for labor or materials furnished in connection with improvements thereon; any restrictions as to building, occupancy, or usage contained in applicable zoning and subdivision or other city or county ordinances; rights of access to and from highway and streets which may be designated as "controlled access facilities" by state or city authorities; the rights of creditors with financing statements filed with the Secretary of State, including financing statements covering crops; and the rights of mortgagees to declare the entire balance of any mortgage due and payable upon the change in the ownership of the property. Persons entitled to homestead tax credits and veterans' exemptions should file application therefor.

Respectfully submitted,

BERGKAMP, HEMPHILL &
McCLURE, P.C.

A handwritten signature in cursive script, reading "James L. Bergkamp, Jr.", written over a horizontal line.

James L. Bergkamp, Jr.

Title Guaranty No. 3213

218 South 9th St.

P.O. Box 8

Adel, IA 50003