558.66 Title decree — entry on transfer books.

Upon receipt of a certificate issued by the clerk of the district court or clerk of the supreme court indicating that the title to real estate has been finally established in any named person by judgment or decree or by will or by affidavit of or on behalf of a surviving spouse that has been recorded by the recorder, the auditor shall enter the information in the certificate upon the transfer books, upon payment of a fee in the amount specified in section 331.507, subsection 2, paragraph *"a"*. In the case of the affidavit filed with the recorder, the fee set forth in section 331.507, subsection 2, paragraph *"a"*, and the fees set forth in section 331.604, shall be collected by the recorder and paid to the treasurer as provided in section 331.902, subsection 3.

An affidavit of or on behalf of a surviving spouse may be recorded with the county recorder only when real estate owned by a decedent, who died on or after January 1, 1988, was held in joint tenancy with right of survivorship solely with the surviving spouse and shall be in the following form:

AFFIDAVIT OF SURVIVING SPOUSE FOR
CHANGE OF TITLE TO REAL ESTATE

STATE OF IOWA)
) ss:
COUNTY OF .....)

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

1. I am [..... is] the surviving spouse of ....., who died on the ..... day of ..... (month), ... (year).

2. The following described real estate was owned only by ..... and this Affiant, [or .....] as joint tenants with full rights of survivorship at the time of [.....'s] death:

.....
.....

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

.....

Subscribed and sworn to before me this ..... day of ..... (month), ... (year).

.....
Notary Public in and for the
State of Iowa

[C97, §2931; C24, 27, 31, 35, 39, §**10125;** C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §558.66]

85 Acts, ch 159, §9; 86 Acts, ch 1079, §4; 90 Acts, ch 1035, §1; 91 Acts, ch 86, §1; 93 Acts, ch 109, §14; 2000 Acts, ch 1058, §56; 2006 Acts, ch 1129, §3; 2009 Acts, ch 27, §35

Referred to in §331.508
Title established or changed — certificate; §602.8102(10)