IOWA STATE BAR ASSOCIATION
Official Form No. 8.1 (Trade-Mark Registered, State of Iowa, 1967)

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IT MAY CONCERN:

STATE OF IOWA }
COUNTY OF JONES } ss:

The undersigned, first being duly sworn upon oath (or upon affirmation) deposes and states:

That the relationship of the undersigned to this transaction appears from the **Notice of Forfeiture of Real Estate Contract, hereto attached, together with return(s) of service thereof;** which Notice and return(s) are by this reference made a part of this affidavit as fully as if set forth herein; that by reason of such relationship the facts herein stated are within the personal knowledge of such affiant.

That the parties served, as shown by said returns, included all parties in possession of said real estate at the time of service of said notice.

●

That, as shown by such returns, more than 30 days have passed since the service of such Notice.

That the default(s) mentioned in said Notice (has) (have) not been removed nor performed nor paid in any amount by said vendee(s), nor by anyone; and that therefore the terms and conditions as to which there is and has been a default have not been performed within the 30 days mentioned in said Notice, nor at any time by anyone; nor has any sum been offered or tendered by said vendees or anyone; that vendor(s) have (has) retaken possession of said real estate following the expiration of said 30 day period.

That the Real Estate Contract mentioned in said Notice specifically provides for the forfeiture of the vendee(s') rights in such contract in accordance with Code Chapter 656.

That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled to any rights under the Soldiers' and Sailors' Civil Relief Act or similar act or acts amendatory thereof or supplementary thereto.

That this affidavit is made as supporting proof, record and notice, that the contract referred to in said Notice of Forfeiture is now null and void, stands forfeited and cancelled and is of no force and effect whatsoever.

Robert R. Beckmann — Affiant
207 W Main, Anamosa, IA 52205
Attorney for Sellers

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 31 day of March 19 92

MARY LYONS
MY COMMISSION EXPIRES
7-18-93

Mary Lyons

Mary Lyons ..... Notary Public in and for The State of Iowa.

● The space as indicated above, is reserved to conveniently "tailor" for special situations and to set forth facts to sustain notice by publication or for both of such purposes. See Section 656.3; R.C.P. 60, 60.1 and 62. Suggested: That Personal Service could not and cannot be made upon _____ and _____ in the State of Iowa; that on the _____ day of _____, 19____, a copy of said Notice was sent by ordinary mail addressed to said (party) (parties) at their last known mailing address, to-wit: _____

Code Chapter 656

RECORDER'S CERTIFICATE

STATE OF IOWA, COUNTY OF DELAWARE, ss:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit together with Notice and returns thereto attached was filed in the said Recorder's Office by the party or parties causing said Notice to be served as shown by the Notice, on the 15 day of April, 19 92

Jane A. Lloyd, Recorder

FILE No. 180-2994
RECORDING FEE $ 10.00
TRANSFER FEE $

FILED FOR RECORD THE 15 DAY OF April, 1992 AT 3:34 O'CLOCK P. M. BOOK 17 PAGE 58

STATE OF IOWA, DELAWARE COUNTY
Jane A Lloyd, Recorder
Aff.

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Eugene Sickles and Rita Sickles, parties in possession and purchasers of the following described real estate in Delaware County, Iowa

You and each of you are hereby notified:

(1) That the written contract dated May 1, 1990, and executed by Johanna C. Deuker and joined by her husband Robert Deuker as Vendors and Eugene Sickles and Rita Sickles as Vendees for the sale of the following described real estate:

LOT TEN (10), BLOCK ONE (1), HOPKINTON, IOWA, ACCORDING TO THE PLAT RECORDED IN BOOK B L.D., PAGES 583-584.

(Said Contract being dated May 1, 1990 and recorded June 19, 1990 in Book 49 on page 331, Delaware County Records.)

has not been complied with, in respect to the terms and conditions of said contract in the following specific particulars:

(a) By being delinquent in the monthly payments from September 1990 through January of 1992 in the total amount of	5700.00
(b) $5,700.00	
(c)	
(d)	
Total	5700.00

(2) That said contract will stand forfeited and cancelled as by its terms and provisions it may be, unless the parties in default within 30 days after the completed service of this notice, shall perform the said terms and conditions in default, and in addition pay the reasonable costs of serving this notice.

Johanna C. Deuker

Vendors (or Successors in Interest)

CHAPTER 656
CODE OF IOWA

By [signature]
Robert R. Beckmann Their Attorney—
Address: 207 West Main Street
Anamosa, IA 52205

Please type or print names under signatures as per Section 335.2 Code of Iowa

ACKNOWLEDGEMENT OF SERVICE

The undersigned, on the date hereinafter set forth, hereby acknowledge due, timely and legal service of the foregoing notice, and acknowledge receipt of copy thereof at the time and place set opposite our respective names.

	Date of Service	Place of Service
X [signature] Eugene Sickles	2/19/92	Hopkinton, Ia.
X [signature] Rita Sickles	2/19/92	Hopkinton, Ia.

If service by publication see footnote on first page and determine what constitutes an adequate return.

RETURN OF SERVICE—Personal

STATE of Iowa,

County of_____ } ss.

The undersigned first being duly sworn, upon oath deposes and states that he served the notice on the obverse side hereof on each of the persons to whom said notice is addressed, and named below, by delivering a copy of said notice to each of said persons at the time and place set opposite their respective names, to-wit:

Persons Served	Day	Month	Year	City, Town or Township	County	State

_____

Subscribed in my presence and sworn to before me by said affiant this_____day of_____, 19____.

_____

_____, Notary Public in and for said County and State.

FEES

Service - - - - - - $_____

Copies - - - - - - $_____

Mileage - - - - - - $_____

Total - - - - - - - $_____

Robert R Beckmann, Attorney at Law
207 W Main
Anamosa, IA 52205

180-2994
DELAWARE COUNTY IOWA
FILED
'92 APR 15 PM 3 34
BOOK 17 PAGE 58
RECORDER
$10.00
ROBERT R. BECKMANN, ATT.
TO
WHOM IT MAY CONCERN

RETURN OF SERVICE—Leaving Copy

STATE OF IOWA,

County of_____ } ss.

The undersigned, being first duly sworn, upon oath deposes and states that on the_____ day of_____, 19____, he served the notice on the obverse side hereof on_____ at his_____dwelling house or usual place of abode in the City, Town or Township of_____ in_____County, Iowa, and which place was not a rooming house, hotel, club or apartment building, by there delivering a copy thereof to_____ a person residing therein who was then at least eighteen years old.

_____

Subscribed in my presence and sworn to before me by said affiant this_____day of_____, 19____.

_____

_____, Notary Public in and for said County and State.

Note: For service by publication, see Code Section 656.3.

Note: For proof and record of service, see Code Section 656.5.