THE IOWA STATE BAR ASSOCIATION Official Form No. 116	ISBA# 01928 David S. Good Nazette, Marner, Good, Wendt & Knoll	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 LINN } 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.

● The Internal Revenue Service was provided notice of sale of forfeiture as provided in the Internal Revenue Code, their acknowledged receipt of such service is attached, along with the return of service filed showing service on Michael Farrell and Darlene Farrell f/k/a Darlene K. Prohaska.

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) (has) (~~have~~) 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(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.

David S Good
David S Good — Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 11th day of August, 1994.

DEBRA M. PASKER
MY COMMISSION EXPIRES
9-28-95

Debra M Pasker
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 _____, 199__, a copy of said Notice was sent by ordinary mail addressed to said (party) (parties) at their last known mailing address, to-wit: _____

Iowa 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 12 day of AUGUST, 1994.

Deborah L. Peyton
DEBORAH L. PEYTON — Recorder

FILE No. 59-456 RECORDING FEE $ 41.00 TRANSFER FEE $	FILED FOR RECORD THE 12 DAY OF Aug, 1994 AT 11:25 O'CLOCK A. M. BOOK 18 PAGE 8	STATE OF IOWA, DELAWARE COUNTY Deborah L. Peyton, Recorder Aff.

135-9

ATTORNEYS PROCESS AND INVESTIGATION SERVICES

P.O.Box 2272 Cedar Rapids, IA 52406
(319) 364-8493

STATE OF IOWA)
COUNTY OF LINN) SS
)

NUMBER _____
CLIENT FSB
ATTORNEY David Good

AFFIDAVIT OF SERVICE

I, the undersigned David E. Kuelper, state that under oath that I made service of the Notice of Forfeiture of Real Estate Contract

true copies of which are attached hereto, in the matter, by serving a copy thereof on Michael Farrell and left 1 extra copy for his wife Darlene Farrell

at 1625 7th Ave
in Marion, Iowa, at 12:58pm on the 17 day of June 19 94

David E. Kuelper

Subscribed and sworn before me on the 17th day of June, 1994.

Connie Mouchka

CONNIE MOUCHKA
MY COMMISSION EXPIRES
Sept. 28, 1995

NUMBER OF TIMES ATTEMPTED SERVICE____
MILEAGE FEE AT 25¢ PER MILE $_____
SERVICE FEE $_____
BALANCE DUE $_____
WILL BILL YES___ NO___

THE IOWA STATE BAR ASSOCIATION
Official Form No. 115

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

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Darlene K. Prohaska n/k/a Darlene K. Farrell and Michael R. Farrell - spouse, and The Department of the Treasury, Internal Revenue Service

You and each of you are hereby notified:

(1) The written contract dated May 4, 19 89, and executed by Farmers Savings Bank, Walford, Iowa, as Vendors, and Darlene K. Prohaska, as Vendees,

for the sale of the following described real estate:

LOTS TWO (2) AND THREE (3) OF THE PLAT OF LOT 1, LOT 2 AND LOT 3 OF "HARTWICK LAKE CLUB NORTHEAST DIVISION" IN SECTION 19, DELHI TOWNSHIP, DELAWARE COUNTY, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 5 PLATS, PAGE 51; SAME BEING A PART OF THE SOUTH ONE-HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION NINETEEN (19), TOWNSHIP EIGHTY EIGHT (88) NORTH, RANGE FOUR (4), WEST OF THE FIFTH PRINCIPAL MERIDIAN

has not been complied with in the following particulars:

(a) Balance due per Contract 5-5-92	67,850.00
(b) Interest to 5-8-92	10,868.83
(c) Interest from 5-5-92 - 6-17-94	14,375.37
(d) Taxes and penalty 3-31-91; 9-30-91; 3-31-92	2,283.00
Total	95,377.20

(2) The contract shall stand forfeited unless the parties in default, within 30 days after the completed service of this notice, shall perform the terms and conditions in default, and in addition pay the reasonable costs of serving this notice.

(3) The amount of attorney fees claimed by the Vendors pursuant to Section 656.7 of the Code of Iowa is $ 50.00 (not to exceed $50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

Farmers Savings Bank, Walford, Iowa

Vendors (or Successors in Interest)

By _____
DAVID S. GOOD
Their Attorney

Address: 100 First Street S.W., Suite 100
Cedar Rapids, Iowa 52404

Chapter 656, The Code

ACKNOWLEDGEMENT OF SERVICE

The undersigned hereby acknowledge due, timely and legal service of this notice, and acknowledge receipt of a copy at the time and place set opposite their respective names.

	Date of Service	Place of Service

©The Iowa State Bar Association
This Printing November, 1990

NOTICE OF SALE (FORFEITURE)

To: District Director
Internal Revenue Service
Des Moines District
Federal Building
210 Walnut Street
Des Moines, Iowa 50309
Attention: Chief, Special Procedures Staff

INTERNAL REVENUE SERVICE
RECEIVED
JUN 2 2 1994
Distr. Dir.-Des Moines, IA
(Special Procedures)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT NO.: P 002 338 396

You are hereby notified, pursuant to Internal Revenue Code Section 7425(b) & (c) and Treasury Regulation Section 301.7425-3(d), that Farmers Savings Bank, the Contract Vendor, has served the enclosed Notice of Forfeiture of Real Estate Contract pursuant to Iowa Code Chapter 656 on Darlene K. Farrell a/k/a Darlene K. Prohaska, Contract Vendee, and those parties claiming by, through or under said Vendee as set forth in the Notice of Forfeiture attached hereto as Exhibit A and incorporated herein by this reference.

1. This Notice of Sale is submitted by said Vendor, (the titleholder) by and through the Vendor's attorney, David S. Good of Nazette, Marner, Good, Wendt & Knoll, 100 First Street S.W., Suite 100, Cedar Rapids, Iowa 52404-5798, (319)364-0124.

2. There is a notice of federal tax lien (Form 668) filed by the Des Moines Internal Revenue District against Darlene and Michael Farrell. This notice was filed on January 27, 1992, in the office of the Delaware County, Iowa Recorder and a copy thereof is attached hereto as Exhibit B and incorporated herein by this reference.

3. With respect to the property to be sold, the property is a residence and is located at Route 2, Delhi, Iowa. The legal description is as follows:

LOTS TWO (2) AND THREE (3) OF THE PLAT OF LOT 1, LOT 2 AND LOT 3 OF "HARTWICK LAKE CLUB NORTHEAST DIVISION" IN SECTION 19, DELHI TOWNSHIP, DELAWARE COUNTY, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 5 PLATS, PAGE 51; SAME BEING A PART OF THE SOUTH ONE-HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION NINETEEN (19), TOWNSHIP EIGHTY-EIGHT (88) NORTH, RANGE FOUR (4), WEST OF THE FIFTH PRINCIPAL MERIDIAN.

A copy of the abstract of title is available.

4. Pursuant to the Notice of Forfeiture, the "sale" of the property will occur on July 18th, 1994, because, as a matter of law, that date is thirty (30) days after the completed service of the Notice of Forfeiture on the last of the entities named in said Notice that are required to be served pursuant to Iowa law. At that time the interest of said Vendee will be terminated unless the breached terms specified in the Notice are performed and the reasonable cost of serving the Notice are paid prior thereto.

5. The approximate amount of the principal obligation, including interest, due the Vendor of the property as of June 15, 1994 is $95,377.20.

6. The only expenses (such as legal expenses, selling costs, etc.) which can be collected in order to prevent forfeiture are the reasonable costs of serving the Notice of Forfeiture which are in the approximate amount of $25.00.

7. The defaults of said Vendee are set forth in said Notice.

8. A duplicate Notice is enclosed pursuant to Treasury Regulation Section 301.7425-3(d)(3). Please acknowledge the receipt of this Notice by signing the duplicate Notice in the space provided below and indicating thereon the date of the receipt of this Notice and return it to the undersigned.

Dated this 20th day of June, 1994.

David S. Good, LI0001928
NAZETTE, MARNER, GOOD, WENDT & KNOLL
100 First Street S.W., Suite 100
Cedar Rapids, Iowa 52404
(319) 364-0124

INTERNAL REVENUE SERVICE
RECEIVED
10:00 A.M.
JUN 22 1994
Distr. Dir.-Des Moines, IA
(Special Procedures)

RECEIVED this _____ day of June, 1994.

District Director, Internal Revenue Service,
Des Moines District

By: _____
Des Moines, Iowa
JUN 22 1994
John Martinez
Chief, Special Procedures Staff

ATTORNEYS PROCESS AND INVESTIGATION SERVICES

P.O.Box 2272 Cedar Rapids, IA 52406
(319) 364-8493



STATE OF IOWA)
) SS
COUNTY OF LINN)

NUMBER_____
CLIENT FSB
ATTORNEY David Good

AFFIDAVIT OF SERVICE

I, the undersigned David E. Kuelper, state that under oath that I made service of the Notice of Forfeiture of Real Estate Contract

true copies of which are attached hereto, in the matter, by serving a copy thereof on Michael Farrell and left 1 extra copy for his wife Darlene Farrell

at 1625 7th Ave
in Marion, Iowa, at 12:58pm on the 17 day of June 19 94

David E Kuelper

Subscribed and sworn before me on the 17th day of June, 1994

Connie Mouchka



NUMBER OF TIMES ATTEMPTED SERVICE_____
MILEAGE FEE AT 25¢ PER MILE $_____
SERVICE FEE $_____
BALANCE DUE $_____
WILL BILL YES___ NO___

THE IOWA STATE BAR ASSOCIATION
Official Form No. 115

NO REPRESENTATION IS MADE AS TO THE LEGAL EFFECT OF THE USE OF THIS FORM. CONSULT YOUR LAWYER

INTERNAL REVENUE SERVICE
RECEIVED
JUN 2 8 1994
Distr. Dir.-Des Moines, IA
(Special Procedures)

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Darlene K. Prohaska n/k/a Darlene K. Farrell and Michael R. Farrell - spouse, and The Department of the Treasury, Internal Revenue Service

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Farmers Savings Bank, Walford, Iowa

Vendors (or Successors in Interest)

By _____
DAVID S. GOOD
Their Attorney

Address: 100 First Street S.W., Suite 100
Cedar Rapids, Iowa 52404

Chapter 656, The Code

ACKNOWLEDGEMENT OF SERVICE

The undersigned hereby acknowledge due, timely and legal service of this notice, and acknowledge receipt of a copy at the time and place set opposite their respective names.

	Date of Service	Place of Service

THE DELAWARE COUNTY ABSTRACT COMPANY, INC., 304 E. MAIN, MANCHESTER, IOWA 52057

INTERNAL REVENUE SERVICE
RECEIVED
JUN 2 2 1994
Distr. Dir.-Des Moines, IA
(Special Procedures)

-81-

NOTICE OF FEDERAL TAX LIEN
UNDER INTERNAL REVENUE LAWS

Department of the Treasury -
Internal Revenue Service
D. K. Marts, Chief, CSF
for Dorothy O. Smith, ACS
Manager
vs.
M & Darlene K Farrell

Dated January 2, 1992
Filed January 27, 1992
$415.06
Book 114, L.M., Page 290

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, notice is given that taxes (including interest and penalties) have been assessed against the following-named taxpayer. Demand for payment of this liability has been made, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer M & Darlene K Farrell
Residence R 2 Box 1 B
Delhi, IA 52223-9602

IMPORTANT RELEASE INFORMATION: With respect to each assessment listed below, unless notice of lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ended (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/90	[redacted]	06/24/91	07/24/01	415.06
				Total	$415.06