THE IOWA STATE BAR ASSOCIATION
Official Form No. 116

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
} ss:
COUNTY OF DELAWARE

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.

53-208

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 C. Tracey
David C. Tracey, Affiant

LILA LUENSMANN
IOWA

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 25th day of August, 19 94.

Lila Luensmann
Lila Luensmann 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: _____

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 25 day of August, 19 94.

Deborah L. Peyton
DEBORAH L. PEYTON, Recorder

FILE No. 63-582
RECORDING FEE $ 16.00
TRANSFER FEE $

FILED FOR RECORD THE 25 DAY OF Aug, 19 94 AT 9:50 O'CLOCK A. M. BOOK 18 PAGE 15

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Aff.

ICWA STATE BAR ASSOCIATION
Official Form No. 8 (Trade-Mark Registered, State of Iowa, 1967)

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

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Vickie L. Crossland, f/k/a Vickie L. Bain, and David Crossland
313 North Franklin Street
Manchester, Iowa 52057

You and each of you are hereby notified:

(1) That the written contract dated June 16, 1992, and executed by George M. Knipp and Mary M. Knipp, Trustees of the George M. Knipp and Mary M. Knipp Revocable Inter Vivos Trust as Vendors and Vickie L. Bain as Vendees

for the sale of the following described real estate:

The North One-half (N½) of Lot Two Hundred Eighty Three (283), and the West Three (3) feet Nine (9) inches of the North One-half (N½) of Lot Two Hundred Eighty Two (282), Manchester, Delaware County, Iowa;

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

VOID

(a) June, 1994 payment unpaid	$ 325.10
(b) July, 1994 payment unpaid	325.10
(c) Back taxes paid by Vendors	442.50
(d) Attorney fees	50.00
Total	$1,142.70

(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.

George M. Knipp & Mary M. Knipp, Trustees of the George M. Knipp & Mary M. Knipp Revocable Inter Vivos Trust
Vendors (or Successors in Interest)

TRACEY & TRACEY

CHAPTER 656
CODE OF IOWA

By David C. Tracey
David C. Tracey Their Attorney

Address: 105 North Franklin Street
Manchester, Iowa 52057

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

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 Delaware } 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
David Crossland	07	19	94	Manchester	Delaware	Iowa

John LeClere 28-5
John LeClere, Deputy 28-5

Subscribed in my presence and sworn to before me by said affiant this 20 day of July, 19 94.

Pat Becker
Pat Becker, Notary Public in and for said County and State.

Tracey & Tracey

FEES
Service - - - - - - $ 10.00
Copies - - - - - - $ 5.00
Mileage - - - - - - $ 1.00
Total - - - - - - $ 16.00

PAID Date 7/27/94 Ck No.

63-582
DELAWARE COUNTY IOWA
FILED
'94 AUG 25 AM 9 50
BOOK 18 PAGE 15
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
$16.00

RETURN OF SERVICE—Leaving Copy

STATE OF IOWA,

County of Delaware } ss.

The undersigned, being first duly sworn, upon oath deposes and states that on the 19th day of July, 19 94, he served the notice on the obverse side hereof on Vickie L. Crossland (AKA - Bain) at ~~his~~ her dwelling house or usual place of abode in the City, Town or Township of Manchester in Delaware County, Iowa, and which place was not a rooming house, hotel, club or apartment building, by there delivering a copy thereof to David Crossland

a person residing therein who was then at least eighteen years old.

RONALD WILHELM, DELAWARE CO. SHERIFF

John LeClere 28-5
John LeClere, Deputy/28-5

Subscribed in my presence and sworn to before me by said affiant this 20TH day of July, 19 94.

Pat Becker
Pat Becker, 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.