196-2320
DELAWARE COUNTY IOWA
FILED
'96 FEB 27 PM 3 55
BOOK 18 PAGE 250
DEBORAH L. PEYTON, RECORDER
DELAWARE CO. IOWA
$31.00

Swift & Swift

To

Whom It May
Concern

PREPARER'S INFORMATION: Daniel H. Swift, Swift & Swift, 108 N. Madison Street, PO Drawer D, Manchester, Iowa 52057 319-927-4901

AFFIDAVIT RE: ALTERNATIVE NON-JUDICIAL VOLUNTARY FORECLOSURE PROCEDURE AND REAL ESTATE

STATE OF IOWA)
)ss:
COUNTY OF DELAWARE)

I, the undersigned, make this Affidavit Re: Alternative Non-Judicial Voluntary Foreclosure Procedure and Real Estate in connection with the following described real estate in Delaware County, Iowa, to-wit:

That part of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 13, Township 88 North, Range 5, West of the 5th P.M., described as commencing at the Northwest corner of the Northwest Quarter (NW¼) of said Southwest Quarter (SW¼), thence North 89° 14' 00" East 126.15 feet along the North line of the Northwest Quarter (NW¼) of said Southwest Quarter (SW¼), thence South 15° 36' 00" East 527.76 feet along the centerline of County Road D5X to the point of beginning, thence East 434.64 feet, thence South 347.05 feet, thence West 337.74 feet to the centerline of County Road D5X, thence North 15° 36' 00" West 360.32 feet along the centerline to the point of beginning subject to road right of way and easements of record now known as

LOT 2, PETLONS FIRST SUBDIVISION OF THE NW¼ OF THE SW¼ OF SECTION 13, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

1. Mortgagor, Bernard A. Van Deest a/k/a Bernie VanDeest entered into an Agreement for Alternative Non-Judicial Voluntary Foreclosure with Mortgagee, Community Savings Bank, on the 8th day of January, 1996; filed contemporaneously herewith is original Agreement for Alternative Non-Judicial Voluntary Foreclosure.

2. Mortgagor conveyed to Mortgagee by Warranty Deed the real estate which is the subject of the alternative procedure by Warranty Deed dated January 8, 1996; filed contemporaneously herewith is original Warranty Deed.

FILE No. 196-2320	FILED FOR RECORD THE 27 DAY OF	STATE OF IOWA, DELAWARE COUNTY
RECORDING FEE $ 31.00	February, 1996 AT 3:55	Deborah L. Peyton, Recorder
TRANSFER FEE $	O'CLOCK P M. BOOK 18 PAGE 250	Aff.

3. That the undersigned caused, pursuant to Section 654.18(e) of the 1995 Code of Iowa the Mortgagee caused to be sent by certified mail a Notice of the Election to all junior lienholders as of the date of the conveyance, stating that the junior lienholders have thirty days from the date of mailing to exercise any rights of redemption; attached hereto and identified as Exhibit "A" is copy of Notice of Election of Alternative Non-Judicial Voluntary Foreclosure Procedure; said Exhibit "A" is incorporated herein by this reference; said Notice was mailed on January 16, 1996, by certified mail.

4. Mortgagor, Bernard A. VanDeest a/k/a Bernie VanDeest did not elect to cancel the transaction as allowed by Section 654.18; attached hereto and identified as Exhibit "B" is copy of Affidavit Re: Election to Cancel Transaction; said Exhibit "B" is incorporated herein by this reference.

5. No junior lienholders have redeemed the real estate pursuant to Section 628.29 of the Iowa Code.

6. Pursuant to Sections 654.18(1) and 654.18(2) of the 1995 Code of Iowa, the liens of the junior lienholders have been removed from the property pursuant to the operation of the laws of the State of Iowa.

SWIFT & SWIFT

By _____
Daniel H. Swift
Attorney for Community Savings Bank
108 North Madison Street
P.O. Drawer D
Manchester, Iowa 52057

Subscribed and sworn to before me this 21st day of February, 1996.

BRENDA R. MEYER
MY COMMISSION EXPIRES
May 28, 1998

_____
Notary Public in and for the State of Iowa.

EXHIBIT "A"

NOTICE OF ELECTION OF ALTERNATIVE NON-JUDICIAL VOLUNTARY FORECLOSURE PROCEDURE

TO: Phyllis E. Gordon, f/k/a Phyllis E. VanDeest, 204 South Madison Street, Manchester, Iowa 52057

Delaware County Mutual Insurance Association, 101 Legion Street, Manchester, Iowa 52057

Sill Insurance, 101 Legion Street, Manchester, Iowa 52057

Swift & Swift Attorneys, 108 North Madison Street, PO Drawer D, Manchester, Iowa 52057

Firstar Bank of Milwaukee, N.A., a National Banking Association, d/b/a ELAN FINANCIAL SERVICES, c/o Stephen A. Swift, 1570 42nd Street NE, Cedar Rapids, Iowa 52402

Ryan Cooperative, PO Box 39, Ryan, Iowa 52330

John Koopmann, d/b/a Delhi Machine Shop, Rural Route #2, Box A-1, Delhi, Iowa 52223

Farmer's Silver Spring Cooperative, Delhi, Iowa 52223

Three Rivers FS Co., PO Box 248, Earlville, Iowa 52041

Gary D. Reeder and Donna J. Reeder, 701 Buchanan, Manchester, Iowa 52057

You are hereby notified that Community Savings Bank, an Iowa Banking Corporation, organized and existing under the laws of the State of Iowa, and Bernard A. VanDeest, a/k/a Bernie VanDeest, have entered into an Alternative Non-Judicial Voluntary Foreclosure Procedure Agreement which bears the date of the 8th day of January, 1996.

You are further notified that you have thirty (30) days from the date of this mailing of this Notice to you to exercise any rights of redemption that you may have in connection with the following described real estate, to-wit:

EXHIBIT "A"

That part of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 13, Township 88 North, Range 5, West of the 5th P.M., described as commencing at the Northwest Corner of the Northwest Quarter (NW¼) of said Southwest Quarter (SW¼), thence North 89° 14' 00" East 126.15 feet along the North line of the Northwest Quarter (NW¼) of said Southwest Quarter (SW¼), thence South 15° 36' 00" East 527.76 feet along the centerline of County Road D5X to the point of beginning, thence East 434.64 feet, thence South 347.05 feet, thence West 337.74 feet to the centerline of County Road D5X, thence North 15° 36' 00" West 360.32 feet along said centerline to the point of beginning subject to road right of way and easements of record now known as

LOT 2, PETLONS FIRST SUBDIVISION OF THE NW¼ OF THE SW¼ OF SECTION 13, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

You are further notified that any lien, claim or interest, that you may have in the above-described real estate, is junior and inferior to the Mortgage held by Community Savings Bank, dated March 31, 1992, and filed April 10, 1992 in Book 115, L.M., Page 212, in the office of the records of the Delaware County Recorder, Delaware County, Iowa

You are further notified that any lien, claim or interest, that you may have in the above-described real estate, is junior and inferior to the Mortgage held by Community Savings Bank, dated September 30, 1994 and filed October 4, 1994 in Book 124, L.M., Page 215, in the office of the records of the Delaware County Recorder, Delaware County, Iowa.

You are further notified that as a junior lien holder, you may redeem the real property pursuant to Section 628.29 of the Iowa Code

EXHIBIT "A"

EXHIBIT "A"

by payment to the Mortgagee, Community Savings Bank, the amount of the debt secured by their Mortgage, including any protective advances made pursuant to Chapter 629 of the Iowa Code. The total amount in the aggregate due as of the date of this Notice from the Mortgagor to the Mortgagee is the amount of $ 77,982.08 , plus additional interest accruing. Upon payment, the Mortgagee shall convey the property by Special Warranty Deed to the redeeming junior lien holder.

If a junior lien holder fails to redeem its lien as provided in Section 654.18(1) and Section 654.18(2) of the Iowa Code, your lien shall be removed from the property pursuant to the operation of the laws of the State of Iowa.

You may govern yourself accordingly.

COMMUNITY SAVINGS BANK

SWIFT & SWIFT

By _____

Daniel H. Swift DL0005400
Attorney for Community Savings Bank
108 North Madison Street
PO Drawer D
Manchester, Iowa 52057

EXHIBIT "B"

AFFIDAVIT RE: ELECTION TO CANCEL TRANSACTION

STATE OF IOWA)
)ss:
COUNTY OF DELAWARE)

The undersigned Bernard A. VanDeest a/k/a Bernie VanDeest, being first duly sworn on oath states that I am the Mortgagor under the Agreement for Alternative Non-Judicial Voluntary Foreclosure signed by me on the 8th day of January , 1996; I have received two copies of the Disclosure and Notice of Cancellation on the 8th day of January , 1996. That at least five (5) business days have elapsed since the signing of the Agreement for Alternative Non-Judicial Voluntary Foreclosure and I have not given Notice of Cancellation of said Agreement and have not cancelled the transaction.

Bernard A. VanDeest
Bernard A. VanDeest a/k/a
Bernie VanDeest

STATE OF IOWA)
)ss:
COUNTY OF DELAWARE)

I, Bernard A. VanDeest a/k/a Bernie VanDeest, being first duly sworn on oath, state that I have read the foregoing Affidavit Re: Election to Cancel Transaction , and the statements and allegations contained therein are true and correct to the best of my present knowledge, belief and information.

Bernard A. VanDeest
Bernard A. VanDeest a/k/a
Bernie VanDeest

Subscribed and sworn to before me this 8th day of February , 1996.

Linda A Bessey
Notary Public in and for the State of Iowa

EXHIBIT "B"