DELAWARE COUNTY IOWA
FILED
1999 JN -1 AM 11:38
BOOK 199 PAGE 1896
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
66.00

Preparer Information H. Raymond Terpstra II, 118 3rd Ave., SE, Suite 500, Cedar Rapids, (319) 364-2467
Individual's Name | Street Address | City | Phone

H. Raymond Terpstra II ISBA # 5486

SPACE ABOVE THIS LINE FOR RECORDER

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IT MAY CONCERN: STATE OF IOWA, COUNTY OF LINN

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 the undersigned received no notice from the District Director of the Internal Revenue Service that the Notice of Forfeiture received by the Internal Revenue Service Midwest District Director on April 21, 1999 was inadequate and, therefore, said Notice of Forfeiture is presumed to be adequate under Treasury Regulation Section 301.7425-3(d)(2).

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 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 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. (CONTRACT FILED IN BOOK 56, PAGE 192.)

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 canceled and is of no force and effect whatsoever.

H. Raymond Terpstra II, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 28th day of May, 1999.

THERESA TRENARY
MY COMMISSION EXPIRES
6-11-2000

Notary Public in and for the State of Iowa.

RECEIVED
SHERIFF'S OFFICE
DELAWARE COUNTY, IA
DATE 3/23/99 TIME 10:30am

Preparer Information H. Raymond Terpstra II, Higley Bldg., 118 3rd Ave., SE, Suite 830, Cedar Rapids, (319) 364-2467
Individual's Name | Street Address | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO:
Paul G. Swanson, Mary A. Swanson, Iowa Department of Revenue & Finance, United States of America, Internal Revenue Service

You and each of you are hereby notified:

(1) The written contract dated October 14, 19 97, and executed by Union Planters Bank, N.A., Successor Through Merger to Magna Bank, N.A., f/k/a Homeland Bank, an Iowa banking corporation,
as Vendors, and
Paul Gordon Swanson and Mary A. Swanson,
as Vendees, for the sale of the following described real estate:

Lots 5 and 6, Block 15 of Hopkinton Second Addition by H. A. Carter, according to plat recorded in Book 2 L.D., pages 328-329.

has not been complied with in the following particulars:

(a)	Febuary 15, 1999 payment due	754.98
(b)	March 15, 1999 payment due	754.98
(c)	Past due real estate taxes	1,018.00
(d)		
	Total	2,527.96

(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.

Union Planters Bank, N.A.

Vendors (or Successors in Interest)

By _____
H. Raymond Terpstra II
Their Attorney -
Address: Higley Building, 118 3rd Ave., SE, Suite 830, Cedar Rapids, Iowa

Chapter 656, The Code

NOTE: If the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq., applies to this communication, attach Form No. 172, Notice of Validation of Debt.

© The Iowa State Bar Association
IOWADOCS™ 9/97

ACKNOWLEDGMENT 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

MEMO AND AFFIDAVIT OF SERVICE

STATE OF IOWA
County of Delaware } SS.

The undersigned, first being duly sworn, upon oath deposes and states that (he)(~~she~~) 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:

Name	Month	Day	Year	City Town or Township	County	State
Paul G. Swanson	03	23	99	312 Mill St. Hopkinton	Delaware	Iowa

John LeClere 28-4
John LeClere

Subscribed in my presence and sworn to before me by said affiant this 23 day of March, 19 99.

Pat Becker
Pat Becker

Notary Public in and for said County and State
(Delaware County, Iowa)

FEES:
Service: $10.00
Mileage: 10.80
TOTAL: $20.80

PAID Date 3/30/99 Ck. No. 12427

Magna v. Swanson

ATTORNEY Hi Ray Terpstra In the District Court, for Linn County
FIRM NAME Terpstra & Epping
CASE NO. Notice of Forfeiture
NOTICE RECD THIS DATE 3-22-99

BOOK 3869 PAGE 350

STATE OF IOWA } ss.
LINN COUNTY }

RETURN OF SERVICE:

		Type of Service Code
✓	Personal	1
	Dwelling/Substitute	2
	Hotel/Boarding/Rooming House	3
	Corporation/Association	4
	Official (State,County,City)	5
	Spouse away from residence	6
	Other	7
	Diligent Search (not served)	8

I certify that I (served)(~~attempted to serve~~) a copy of:

- ☐ Petition and Original Notice
- ☐ Modification/Application and Notice
- ☐ Order to Show Cause
- ☐ Order Filed
- ☑ Writ
- ☑ Other Notice of Forfeiture
- ☐ Subpoena

DOCUMENT NO. 59673
RECORDING FEE 10.00
AUTOMATION FEE 1.00

Mary A. Swanson (NAME) at 1073-6th St. (ADDRESS) Marion, Ia on 3-22-99 (DATE) Type Code 1

_____ (NAME) by serving _____ (NAME) at _____ (ADDRESS) ☐

on _____ (DATE), (a person residing therein who was then at least 18 years old) or (spouse away from residence). (Strike non-applicable part).

_____ (COMPANY/GOVERNMENT UNIT NAME) by serving _____ (NAME) ☐

_____ its (TITLE), on _____ (DATE), at _____ (ADDRESS).

FILED
LINN COUNTY, IOWA
99 MAR 26 P 4:00
CAROL MOCKLMANT
COUNTY RECORDER

BY: Barry Brandt

Subscribed in my presence and sworn to before me by the affiant Barry Brandt, this 23rd day of March 1999.

FEES:
PROCESS 25.00
MILEAGE
TOTAL 25.00

THERESA TRENARY
MY COMMISSION EXPIRES
6-17-2000

NOTARY SEAL

Theresa Trenary
NOTARY PUBLIC

My commission expires / / .

BOOK 3869 PAGE 351

Preparer Information H. Raymond Terpstra II, Higley Bldg., 118 3rd Ave., SE, Suite 830, Cedar Rapids, (319) 364-2467
Individual's Name | Street Address | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO:

Paul G. Swanson, Mary A. Swanson, Iowa Department of Revenue & Finance, United States of America, Internal Revenue Service

You and each of you are hereby notified:

(1) The written contract dated October 14, 19 97, and executed by Union Planters Bank, N.A., Successor Through Merger to Magna Bank, N.A., f/k/a Homeland Bank, an Iowa banking corporation, as Vendors, and Paul Gordon Swanson and Mary A. Swanson, as Vendees, for the sale of the following described real estate:

Lots 5 and 6, Block 15 of Hopkinton Second Addition by H. A. Carter, according to plat recorded in Book 2 L.D., pages 328-329.

has not been complied with in the following particulars:

(a)	Febuary 15, 1999 payment due	754.98
(b)	March 15, 1999 payment due	754.98
(c)	Past due real estate taxes	1,018.00
(d)		
	Total	2,527.96

(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.

Union Planters Bank, N.A.

Vendors (or Successors in Interest)

By _____
H. Raymond Terpstra II, Their Attorney -

Address: Higley Building, 118 3rd Ave., SE, Suite 830, Cedar Rapids, Iowa

Chapter 656, The Code

NOTE: If the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq., applies to this communication, attach Form No. 172, Notice of Validation of Debt.

FILED FOR RECORD
4:00 PM
MAR 26 1999
RECORDER LINN CO., IOWA

© The Iowa State Bar Association
IOWADOCS™ 9/97

ACKNOWLEDGMENT 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

MEMO AND AFFIDAVIT OF SERVICE

STATE OF IOWA
County of _____ } SS.

The undersigned, first being duly sworn, upon oath deposes and states that (he)(she) 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:

Name	Month	Day	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

RETURN OF SERVICE

IN THE IOWA DISTRICT COURT FOR LINN COUNTY

Case Name:UNION PLANTERS BANK VS SWANSON, PAUL & MARY

Case No. 32142 032142 OFFICIAL (STATE, COUNTY, CITY)

Notice Rec'd this date: 4/14/99

STATE OF IOWA

POLK County } ss.

I certify that I served a copy of:NOTICE OF FORFEITURE OF REAL ESTATE

Served:

at on / / :
/ / :
/ / :

by serving , at
on / / , : ,

IA DEPT REVENUE by serving GERALD BAIR it's DIRECTOR on 4/15/99
(Name) (Title)
9:25 AM at HOOVER BLDG DES MOINES .

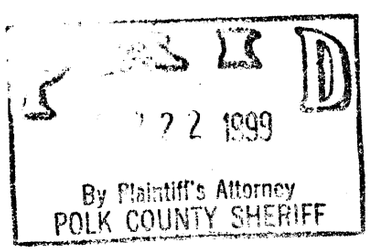
NOTE: (Diligent Search/Remarks)

BOB E. RICE , Sheriff
POLK County , Iowa

FRANZ VAN DE BOE

FEES:

Processing	:	$10.00
Mileage	:	$1.24
Copy	:	$0.00
Notary	:	$0.00
Misc.	:	$0.00
TOTAL	:	$11.24



Fees charged to/paid by ATTY

RETURN OF SERVICE

IN THE IOWA DISTRICT COURT FOR LINN COUNTY

Case Name:UNION PLANTERS BANK VS SWANSON, PAUL & MARY

Case No. 32142 032142 OFFICIAL (STATE, COUNTY, CITY)

Notice Rec'd this date: 4/14/99

STATE OF IOWA

POLK County } ss.

I certify that I served a copy of:NOTICE OF FORFEITURE OF REAL ESTATE

Served:

at on / / :
/ / :
/ / :

by serving , at
on / / , : ,

ATTORNEY GENERA by serving TAM ORMISTON (Name) it's DEP ATTY GEN (Title) on 4/15/99
9:15 AM at HOOVER BLDG DES MOINES .

NOTE: (Diligent Search/Remarks)

BOB E. RICE , Sheriff
POLK County , Iowa
Franz Van De Boe
FRANZ VAN DE BOE

FEES:

Processing	:	$10.00
Mileage	:	$0.00
Copy	:	$0.00
Notary	:	$0.00
Misc.	:	$0.00
TOTAL	:	$10.00

FILED
APR 22 1999
By Plaintiff's Attorney
POLK COUNTY SHERIFF

Fees charged to/paid by ATTY

RECEIVED

APR 14 12 33 PM '99

POL[illegible] [illegible]WA

Preparer Information H. Raymond Terpstra II, Higley Bldg., 118 3rd Ave., SE, Suite 830, Cedar Rapids, (319) 364-2467
Individual's Name | Street Address | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO:

Paul G. Swanson, Mary A. Swanson, Iowa Department of Revenue & Finance, United States of America, Internal Revenue Service

You and each of you are hereby notified:

(1) The written contract dated October 14, 1997, and executed by Union Planters Bank, N.A., Successor Through Merger to Magna Bank, N.A., f/k/a Homeland Bank, an Iowa banking corporation,
as Vendors, and
Paul Gordon Swanson and Mary A. Swanson,
as Vendees, for the sale of the following described real estate:

Lots 5 and 6, Block 15 of Hopkinton Second Addition by H. A. Carter, according to plat recorded in Book 2 L.D., pages 328-329.

has not been complied with in the following particulars:

(a)	Febuary 15, 1999 payment due	754.98
(b)	March 15, 1999 payment due	754.98
(c)	Past due real estate taxes	1,018.00
(d)		
	Total	2,527.96

(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.

Union Planters Bank, N.A.

Vendors (or Successors in Interest)

By _____

H. Raymond Terpstra II, Their Attorney -

Address: Higley Building, 118 3rd Ave., SE, Suite 830, Cedar Rapids, Iowa

Chapter 656, The Code

NOTE: If the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq., applies to this communication, attach Form No. 172, Notice of Validation of Debt.

© The Iowa State Bar Association
IOWADOCS™ 9/97

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

To: District Director of Internal Revenue
Internal Revenue Service
Stop 5303 MIL 310 W. Wisconsin Ave.
Milwaukee, WI 53203-2221

Attn. SPS: GA: Foreclosures/Forfeiture

RECEIVED
Special Procedures GA-1
APR 21 1999
Internal Revenue Service
MIDWEST DISTRICT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT NO. Z 185 641 256

YOU ARE HEREBY NOTIFIED, pursuant to Internal Revenue Code Section 7425(b) and (c) and Treasury Regulation Section 301.7425-3(d), that Union Planters Bank, N.A., Successor Through Merger to Magna Bank, N.A., f/k/a Homeland Bank, an Iowa banking corporation, the contract vendor, has served the enclosed Notice of Forfeiture of Real Estate Contract pursuant to Iowa Code §656 on Paul J. Swanson and Mary A. Swanson. A copy of the Notice of Forfeiture of Real Estate Contract is attached hereto as Exhibit "A" and is incorporated herein by reference.

1. This Notice of Forfeiture is submitted by said vendor, Union Planters Bank, N.A., Successor Through Merger to Magna Bank, N.A., f/k/a Homeland Bank, an Iowa banking corporation, by and through the vendor's attorney, H. Raymond Terpstra II, Terpstra & Epping, Higley Building, 118 Third Avenue, SE, Suite 830, Cedar Rapids, Iowa 52401-1424; 319-364-2467.

2. There is a notice of federal tax lien (Form 668) filed by Midwest Internal Revenue District against Paul G. Swanson. This notice was filed on August 18, 1997 in the office of the Delaware County Recorder's Office and a copy thereof is attached hereto as Exhibit "B" and is incorporated herein by reference.

3. With respect to the property to be sold, the property is a residential real estate and is located at 312 Mill Street, Hopkinton, Iowa 52237. The legal description is as follows:

Lots Five (5) Six (6), Block Fifteen (15) of Hopkinton Second Addition by H. A. Carter, according to plat recorded in Book 2 L.D., Pages 328-329.

A copy of the abstract of title is available.

4. Pursuant to the Notice of Forfeiture, the "sale" of the property will occur on May 16, 1999, because, as a matter of law, that date is no less than 30 days after the completed service of the Notice of Forfeiture on the day of the entities named in said Notice of Forfeiture

that are required to be served pursuant to Iowa law. At that time the interest of said vendees will be terminated unless the breached terms 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 March 17, 1999 is $89,940.23.

6. The only expense 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 $50.00.

7. The defaults of the vendees 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 in the enclosed self-addressed, stamped envelope.

DATED this 19th day of April, 1999.

H. Raymond Terpstra II LI0005486
TERPSTRA & EPPING
Higley Building
118 Third Ave., SE, Suite 830
Cedar Rapids, IA 52401-1424
(319) 364-2467

RECEIVED this _____ day of _____, 1999.

District Director, Internal Revenue Service
Midwest District

By: _____

See stamp of receipt dated April 21, 1999 on page one of this Notice.

Preparer Information H. Raymond Terpstra II, Higley Bldg., 118 3rd Ave., SE, Suite 830, Cedar Rapids, (319) 364-2467
Individual's Name | Street Address | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO:
Paul G. Swanson, Mary A. Swanson, Iowa Department of Revenue & Finance, United States of America, Internal Revenue Service

You and each of you are hereby notified:

(1) The written contract dated October 14, 19 97, and executed by Union Planters Bank, N.A., Successor Through Merger to Magna Bank, N.A., f/k/a Homeland Bank, an Iowa banking corporation,
as Vendors, and
Paul Gordon Swanson and Mary A. Swanson,
as Vendees, for the sale of the following described real estate:

Lots 5 and 6, Block 15 of Hopkinton Second Addition by H. A. Carter, according to plat recorded in Book 2 L.D., pages 328-329.

has not been complied with in the following particulars:

(a)	Febuary 15, 1999 payment due	754.98
(b)	March 15, 1999 payment due	754.98
(c)	Past due real estate taxes	1,018.00
(d)		
	Total	2,527.96

(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.

Union Planters Bank, N.A.

Vendors (or Successors in Interest)

By _____
H. Raymond Terpstra II
Their Attorney -

Address: Higley Building, 118 3rd Ave., SE, Suite 830, Cedar Rapids, Iowa

Chapter 656, The Code

NOTE: If the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq., applies to this communication, attach Form No. 172, Notice of Validation of Debt.

© The Iowa State Bar Association IOWADOCS™ 9/97

EXHIBIT "A"

Form 668 (Y) (c)
(Rev. October 1993)

29742

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

District	Serial Number	For Optional Use by Recording Office
MIDWEST	394717258	

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, 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
PAUL G SWANSON

Residence
R 2 BOX 151A
HOPKINGTON, IA 52337-0000

IMPORTANT RELEASE INFORMATION: For 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]-5016	04/29/96	05/29/06	20340.53
1040	12/31/91	[redacted]-5016	04/19/96	05/19/06	19661.38
1040	12/31/92	[redacted]-5016	04/29/96	05/29/06	5086.71
1040	12/31/93	[redacted]-5016	04/29/96	05/29/06	53505.45

Place of Filing

Delaware County Recorder
Delaware Courthouse
Manchester, IA 52057

Total $ 92632.07

This notice was prepared and signed at Milwaukee, WI, on this,

the 13th day of August, 19 97.

Signature
For ARNOLD A. STEVENSON

Title
Revenue Officer 39-01-1309

(NOTE: Certificate of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668 (Y) (c) (Rev. 10/93)

8-18-97 BOOK 136 PAGE 2

EXHIBIT "B"

DNR

$9.00

STATE OF IOWA
DELAWARE COUNTY
FILED
97 AUG 18 AM 10 27
136 PAGE 2

342-559