DELAWARE COUNTY IOWA
FILED
2001 JUN -7 PM 1:47
BOOK 201 PAGE 1935
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
16.00

ENV. (X)

Document Prepared by: Joseph A. Peiffer ISBA# 7676, Day Rettig Peiffer Johansen, P.C., 150 1st Ave NE, Suite 415, Cedar Rapids, IA 52401 (319) 365-0437

AFFIDAVIT

STATE OF IOWA
ss:
COUNTY OF LINN

RE: Lots Eight (8) and Nineteen (19), and the East two thirds of Lots Nine (9) and Eighteen (18), Block Five (5), Carter's Second Addition to Hopkinton, Iowa, according to plat recorded in Book 2 L.D., Page 328 of the books and records of the Delaware County Recorder.

The undersigned being first duly sworn deposes and states that a copy of the written demand, a copy of which is attached hereto marked Exhibit "A", was served upon Palmer Hardware, Inc. by serving Steve Palmer, its President on February 8, 2001, as shown by the proof of service marked Exhibit "B" attached hereto. Following the service of the written demands, Palmer Hardware, Inc., the judgment creditor in Delaware County case number SCSC007070, caused any execution to be levied against the property described above as required by the provisions of §624.23(2) and the written demand marked Exhibit "A".

The property described above was, at the time of the service of the written demands on the judgment holder, and still remains, the homestead of Randy Less and Kimberly Less, husband and wife.

Joseph A. Peiffer

Subscribed and sworn to before me by Joseph A. Peiffer this 4th day of June, 2001.

Sandra Lee Brock
NOTARY PUBLIC-STATE OF IOWA

SANDRA LEE BROCK
MY COMMISSION EXPIRES
2-14-03

RECEIVED
SHERIFF'S OFFICE
DELAWARE COUNTY, IA
DATE 2/8/01 TIME 1:25 PM

NOTICE

To: Palmer Hardware, Inc.

You and each of you are hereby notified that Section 624.23(2), Code of Iowa, provides that judgment liens resulting from judgments of the District Courts of the State of Iowa shall not remain a lien upon real estate of the Defendant, platted as a homestead pursuant to Section 561.4, Code of Iowa, unless execution is levied within thirty days of the time the Defendant or the Defendant's agent has served written demand on the owner of the judgment. Therefore, the judgment lien resulting from the judgment which was entered on February 18, 2000, in Delaware County case number SCSC007070 in favor of Palmer Hardware, Inc. against Randy Less d/b/a Ace Construction and all benefits derived therefrom relating to the real estate described as:

> Continuation of an abstract of title to: Lots Eight (8) and Nineteen (19), and the East two Thirds of Lots Nine (9) and Eighteen (18), Block Five (5), Carter's Second Addition to Hopkinton Iowa, according to play recorded in Book 2 L.D., Page 328, from the 13th day of August 1998, at 8:00 o'clock A.M. to the 28th day of November, 2000, at 8:00 o'clock A.M.

which real estate has been platted as a homestead pursuant to Section 561.4, Code of Iowa, shall be forfeited unless you levy execution against said real estate within thirty days from the date of the service of this written demand upon you. Said real estate described above is owned by Randy Less and Kimberly Less, husband and wife.

Dated February 5, 2001.

Day Rettig Peiffer Johansen, P.C.

BY _____
Joseph A. Peiffer
PO Box 2877
Cedar Rapids IA 52406-2877
ATTORNEYS FOR Randy Less

EXHIBIT
A

FIDLAR & CHAMBERS CO. FORM 101H-012

In the Iowa ~~District Court~~, for Delaware County

Randy & Kim Less property

Case Name Day Rettig Peiffer-Johansen P.C. vs Palmer Hardware
Case No. N/A
Notice recd. this date 2/8/01

STATE OF IOWA
Delaware COUNTY } SS

RETURN OF SERVICE:

		Type of Service Code
___	Personal	1
___	Dwelling/Substitute	2
___	Hotel, Boarding/Rooming House	3
X	Corporation/Association	4
___	Official (State, County, City)	5
___	Spouse away from residence	6
___	Other ___	7

I certify that I served a copy of:

- ☐ Petition and Original Notice
- ☐ Modification/Application and Notice
- ☐ Order to Show Cause
- ☐ Order Filed ___
- ☐ Writ ___
- ☒ Other Notice/Homestead/ Randy & Kim Less

Served: Type Code

___ (NAME) at ___ (ADDRESS) on ___ (DATE) [ ]
___ at ___ on ___ [ ]
___ at ___ on ___ [ ]
___ at ___ on ___ [ ]
___ at ___ on ___ [ ]
___ (NAME) by serving ___ (NAME) at ___ (ADDRESS) [ ]

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

Palmer Hardware (COMPANY/GOVERNMENT UNIT NAME) by serving Steve Palmer (NAME) [4]

President/owner its (TITLE), on 2/8/01 (DATE), at Manchester, Iowa.

NOTES: (Diligent Search, etc.)

John A. LeClere, Sheriff
Delaware, County, Iowa
___ (OFFICIAL TITLE)

Fees:
Service 10.00
Mileage 1.00
Copy
Total 11.00

PAID Date 3/19/01 Ck. No. 062499

Fees charged to/paid by Atty/Party:

NOTE: Copy of Original Notice, if served, must be attached to this form.

EXHIBIT B