DELAWARE COUNTY IOWA
FILED
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BOOK 2001 PAGE 1937
DEBORAH L. FEYTON
DELAWARE CO. RECORDER
16.00

EXH. 2

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 accepted by Francis Wm. Henkels, its attorney on February 27, 2001, as shown by the proof of service marked Exhibit "B" attached hereto. Following the service of the written demand, Gavin-McDonald and Associates, the judgment creditor in Delaware County case number 01281 KACV 004236, 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

NOTICE

To: Gavin-McDonald and Associates

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 extension is levied within thirty days of the time the Defendant or 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 July 6, 1998 in Delaware County case number LACV 4236 in favor of Gavin-McDonald and Associates 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 Addition to Hopkinton, Iowa, according to plat 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
Attorney for Randy Less

EXHIBIT
A

IN THE IOWA DISTRICT COURT
FOR DELAWARE COUNTY

GAVIN-MCDONALD AND ASSOCIATES	)	
	)	Case No. 01281 LACV004236
Plaintiff(s),	)	
	)	
vs.	)	
	)	
RANDALL L. LESS,	)	
Defendant.	)	
	)	

ACCEPTANCE OF SERVICE

The undersigned, as attorney for Plaintiff, hereby accepts original service of Notice Re: Homestead on behalf of Gavin-McDonald and Associates, in the above-captioned matter this 27th day of February, 2001.

Francis Wm. Henkels #_____
Roth & Henkels
Suite D, 1400 University Avenue
Dubuque IA 52001
Telephone: (319) 557-1611

Attorney for Gavin-McDonald and Associates

STATE OF IOWA)
) ss:
Dubuque COUNTY)

On this 23rd day of February, 2001, before me, the undersigned, a Notary Public in and for said County and said State, personally appeared Francis Wm. Henkels to me known to be the identical person named in and who executed the foregoing document and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and for the State of Iowa

EXHIBIT
B