THE IOWA STATE BAR ASSOCIATION
Official Form No 176

William G. Blum ISBA # 426

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

Entered for taxation 6th day of March A.D. 2003
Sharon McCrabb, Auditor
By Carl Becker, Deputy
T-108

RECORDER FEE $ 16.00
CR FEE $ 5.00

2003 MR -6 AM 10:20
BOOK 3 PAGE 1001
DEBORAH L. PEYTON
DELAWARE CO. RECORDER

DELAWARE COUNTY, IOWA
FILED

Env. (X)

Preparer Information: William G. Blum, 300 Main St., Suite 330, Dubuque IA 52001, (563) 557-1310
Individual's Name | Street Address | City | Phone

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 DUBUQUE

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.

● Contract recorded in Book 47, Page 295

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.

City of Hopkinton, Iowa,
By: William G. Blum
City Attorney
Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 4th day of March, 2003.

NOTARIAL SEAL IOWA
JUDITH G. BLUM
COMMISSION # 117811
MY COMMISSION EXPIRES
May 7, 2005

Judith G. Blum
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 _____, _____, 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

IOWA STATE BAR ASSOCIATION
Official Form No. 115

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

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Roger Lundtvedt
3042 - 230th Street
Ridgeway, IA 52165-859

You and each of you are hereby notified:

(1) The written contract dated February 17, 19 88, and executed by Rita L. Bees, as Vendors, and Roger Lundtvedt, as Vendees, for the sale of the following described real estate:

Lot One (1), Block Four (4) 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)	Nonpayment of contract	4,000
(b)		
(c)		
(d)		
	Total	4,000

(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.

City of Hopkinton, Successor
Vendor in Interest
Vendors (or Successors in Interest)

By Wm G Blum
William G. Blum, Their Attorney—

Address: 300 Main St., Suite 330
Dubuque, IA 52001

Chapter 656, The Code

ACKNOWLEDGEMENT 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

RETURN OF SERVICE — Personal

STATE of Iowa
County of Winneshiek } ss.

The undersigned first being duly sworn, upon oath deposes and states that ___ he served the notice on the reverse side on each of the persons to whom the notice is addressed, and named below, by delivering a copy of the notice to each of the persons at the time and place set opposite their respective names:

Persons Served	Day	Month	Year	City, Town or Township	County	State
Roger Lundtvedt	30	01	03	Ridgeway	Winneshiek	Iowa
		at 3:55 p.m.				

WINNESHIEK COUNTY SHERIFF LEON BOHR

BY: _____
Deputy Sheriff Chuck Ihde

Subscribed in my presence and sworn to before me by the affiant on 1/30/03, 19 ____.

Becky A. C...

BECKY A. C...
Commission No...
My Commission...
January 13, ...

_____, Notary Public in the above State.

WINNESHIEK CO. SHERIFF'S DEPT.

Rec. Payment From William Baum

Date 2/10/03

Sheriff Bohr

dlw

FEES

Service ..... $ 15.00
Copies ..... $ ____
Mileage ..... $ 6.38
Total ..... $ 21.38

RETURN OF SERVICE — Leaving Copy

STATE of _____
County of _____ } ss.

The undersigned, being first duly sworn, upon oath deposes and states that on _____ 19____, ___ he served the notice on the reverse side on _____ at his/her _____ dwelling house or usual place of abode in the City, Town or Township of _____ in _____ County, _____, and which place was not a rooming house, hotel, club or apartment building, by there delivering a copy of the notice to _____

_____

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

_____

Subscribed in my presence and sworn to before me by the affiant _____, 19 ____.

_____

_____, Notary Public in the above State.