DELAWARE COUNTY IOWA
FILED
2004 JL 19 AM 11: 22
BOOK 2004 PAGE 3401
DEBORAH L. FEYTON
DELAWARE CO. RECORDER
12.00

PREPARED BY: (X) T.D. Group EMV D. SCOTT HEINEMAN 32108 ALVARADO BLVD., #381 UNION CITY, CA 94587 510/487-2577

THIS SPACE FOR RECORDER'S USE ONLY

NOTICE OF INTENT TO CORRECT TITLE

Attachments:

Specific Power of Attorney

Subrogation and Security Bond

(TO BE FILED IN REAL ESTATE RECORDS)

TITLE OF DOCUMENT

RECORDING REQUESTED BY:

D. SCOTT HEINEMAN, TRUSTEE

WHEN RECORDED MAIL TO:

D. SCOTT HEINEMAN, TRUSTEE
c/o 32108 ALVARADO BLVD. #381
UNION CITY, CA 94587

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION (Govt. Code 27361.6)

RECORDING REQUESTED BY

D. SCOTT HEINEMAN, TRUSTEE

AND WHEN RECORDED MAIL THIS NOTICE TO:

D. SCOTT HEINEMAN, TRUSTEE
c/o 32108 ALVARADO BLVD. #381
UNION CITY, CA 94587

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Assessor's Parcel Number: 180240000500

NOTICE OF INTENT TO CORRECT TITLE

IMPORTANT NOTICE

ANY INTEREST IN THE PROPERTY REFERENCED HEREIN MAY BE FORFEITED WITHOUT ANY COURT ACTION FOR FAILURE TO PROVIDE FULL AND COMPLETE DISCLOSURE OF ALLEGED CONTRACT, as a 10 day demand has been made upon AMERICAN TRUST, its Agents and/or assignees, to remedy possible negligence where the Trustees of the BOCKENSTEDT FAMILY TRUST, hereinafter Trustees, allege on behalf of the Grantor that all of the material facts of the mortgage contract may not have been present at signing. Trustees have made demand upon AMERICAN TRUST, its Agents and/or assignees, to provide full disclosure of said mortgage contract. Trustees have demanded as part of the full disclosure the production of the promissory note with all fronts and backs complete with endorsements and the accounting general ledger of AMERICAN TRUST to be provided for audit where such audit shall be performed by a Certified Public Accountant. AMERICAN TRUST failure to produce the accounting general ledger for audit, within the time prescribed herein, will result in a default and stipulation among parties for one of the following actions to be taken by the Trustees to correct title:

1. The removal of any and all security interest(s) of AMERICAN TRUST from the property within ten (10) days of receipt of notice. AMERICAN TRUST consents and agrees by and through its wet-ink signature or tacitly assents and agrees through its default to activate a Specific Power of Attorney for Trustees to remedy title.
2. The filing of a UCC Financing Statement, where AMERICAN TRUST the account holder is named as debtor, the Trustees as Secured Party and mortgage contract and all related interested therein be listed as collateral.

AMERICAN TRUST, tacitly assents and agrees by and through its default to the terms and conditions of the Specific Power Attorney, copy herewith attached for reference, should AMERICAN TRUST fail to respond to the Trustees demand within the time prescribed. AMERICAN TRUST, tacitly assents and agrees by and through its default to appoint Trustees as Attorney-in-fact, Agent for AMERICAN TRUST to effect any and all corrective action to title.

AMERICAN TRUST tacitly assents and agrees by and through its default to make a claim on Trustee's bond, copy attached herewith, if the claim of Trustees proves to be without merit. Original bond evidenced to be in the possession of AMERICAN TRUST via U.S.P.S. Mail Receipt No. 23013460000020365102.

AMERICAN TRUST, tacitly assents and agrees by and through its default to the filing of a UCC Financing Statement, where the account holder is named as debtor, the Trustees as Secured Party having a superior claim over any and all indebtedness incurred by the account holder, including that of AMERICAN TRUST unless AMERICAN TRUST can produce evidence by general ledger that they have material facts consistent with the claims of their mortgage contract.

Dated: June 22, 2004

By: _____
D. Scott Heineman, Trustee

STATE OF CALIFORNIA)
) ss. **ACKNOWLEDGEMENT**
COUNTY OF ALAMEDA)

On June 29th, 2004, before me, Jennifer C Holtzer a Notary Public of Alameda County California, personally appeared, D Scott Heineman, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me the He executed the same in His authorized capacity, and that by His signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and notarial seal, this 29th day of June, 2004

My commission expires: 4/20/2008

Jennifer C Holtzer
Notary Public

JENNIFER C. HOLTZER
Commission # 1484690
Notary Public - California
Alameda County
My Comm. Expires Apr 20, 2008

Attachment

SPECIFIC POWER OF ATTORNEY

The Undersigned, AMERICAN TRUST AND SAVINGS BANK, hereinafter "AMERICAN TRUST," residing 895 MAIN STREET, DUBUQUE, IOWA 52004-0938, hereby appoints D. Scott Heineman of 32108 Alvarado Blvd. #381, Union City, CA 94587, as AMERICAN TRUST'S Attorney-in-Fact, hereinafter "Agent."

If Agent is unable to serve for any reason, AMERICAN TRUST designates Kurt F. Johnson, of 32108 Alvarado Blvd. #381, Union City, CA 94587 as the Undersigned's successor Agent.

This Specific Power of Attorney is a self-executing agreement with AMERICAN TRUST'S signature affixed in accordance with UCC 3-401(b)(ii). Authority is to be assumed upon proof of proper notice and AMERICAN TRUST'S non-response default. Such action is to be construed as an endorsement of intent.

My Agent shall have full power and authority to act on my behalf. This power and authority shall authorize my Agent to manage and conduct all of my affairs and to exercise all of my legal rights and powers, including all rights and powers that I may acquire in the future. My Agent's powers shall include, but not be limited to:

1. To prepare and record all necessary documents for proper reconveyance to the current trustors, CARL R. BOCKENSTEDT AND LESLIE L. BOCKENSTEDT, which reconveyance may include, but is not limited to: CERTIFICATE OF DISCHARGE, FULL RECONVEYANCE, SUBSTITUTION OF TRUSTEE, ASSIGNMENT OF NOTE AND/OR DEED, for that certain property recorded on May 1, 2003, the South one-half (S1/2) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section Twenty Four (24), Township Eighty Nine (89) North, Range Three (3), West of the Fifth Principal Meridian, of the Official Records of DELAWARE County, IOWA.
2. To prepare and record any and all necessary documents with the Secretary of State and County Recorder in DELAWARE County specifically related to that certain said property recorded on May 1, 2003, in accordance with the terms of the contract including, but not limited to: NOTICE OF DEFAULT, DEFAULT JUDGMENT, SUBSTITUTION OF TRUSTEE, FULL RECONVEYANCE, POSSESSORY LIEN, MECHANIC'S LIEN, ARTISAN LIEN, SUBORDINATION AGREEMENT, RECISION OF DEFAULT.
3. To prepare and record any and all necessary documents to amend, append, correct, or repair any and all derogatory credit reports made against TRUSTOR/RESPONDENT, on behalf of AMERICAN TRUST, which includes, but not be limited to: all credit reporting agencies, all credit service bureau's, and/or all credit reporting organizations, either public or private.

Agent shall not be liable for any loss resulting from a judgment error made in good faith. However, Agent shall be liable for willful misconduct, and likewise for failure to act in good faith while acting under authority of this Specific Power of Attorney.

AMERICAN TRUST authorizes Agent to indemnify and hold harmless any third party who accepts and acts under this document.

Agent is entitled to reasonable compensation for any and all services provided while acting in authorized capacity as agent of AMERICAN TRUST. Agent is entitled to reimbursement of all reasonable expenses incurred in connection with this Power of Attorney.

Agent shall provide an accounting for all funds handled and all acts performed while acting in authorized capacity as agent of AMERICAN TRUST if AMERICAN TRUST, or any authorized personal representative or fiduciary of AMERICAN TRUST, so requests.

This Specific Power of Attorney is effective _____, 2004, and is not affected by AMERICAN TRUST'S disability or lack of mental competence, except as may otherwise be provided by applicable statute. This Specific Power of Attorney shall continue in effect for sixty (60) days from effective date, i.e. until _____, _____. This Specific Power of Attorney may be voided by AMERICAN TRUST, or Agent, through the proper filing of reconveyance documents at the Office of the County Recorder on or before the active date. An additional sixty (60) days is granted to Agent to cure any matters that may arise out of any action taken under this Specific Power of Attorney. The number of extensions of "an additional sixty (60) days" needed to settle any and all matters arising thereinafter is not set and is at the sole discretion of Agent.

(apply wet-ink signature next to 'Company' name below. or signature now affixed will serve as proper endorsement)

AMERICAN TRUST AND SAVINGS BANK _____
[Signature affixed in accordance with UCC §§ 1-201(39), 3-401(b)(ii)]

_____ _____
_____/ Attorney-in-Fact/ Agent Witness

STATE OF_____)
) ss. **ACKNOWLEDGEMENT**
COUNTY OF _____)

On _____, 2004, before me, _____ a Notary Public of Alameda County California, personally appeared, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me the He executed the same in His authorized capacity, and that by His signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and notarial seal, this _____ day of _____, 2004

My commission expires:_____

_____
Notary Public

Attachment

THE DOREAN GROUP

32108 Alvarado Boulevard, #381, Union City, California 94587

SUBROGATION & SECURITY BOND

REGISTERED 215198AG $544,000 DOLS 00 CTS

Pay to the Order of: AMERICAN TRUST AND SAVINGS BANK **Amount: $544,000.00**

CERTIFICATE NO.: ATS-062204-CLB **ISSUE DATE:** JUN. 22, 2004 **NOTE NO.:** 48216982

SUBROGATION BOND FOR SECURITY INTEREST

WHEREAS a security interest being filed against real property at 1946 332ND AVENUE, DYERSVILLE, IA 52040 on or about April 22, 2003.

WHEREAS said security interest originally held by AMERICAN TRUST AND SAVINGS BANK is subrogated to a claim upon this bond.

WHEREAS the value of the stipulation or bond for release of security interest has been fixed to twice that of the security claim.

I, Kurt Johnson, do hereby enter myself as security for costs in the PRIVATE ADMINISTRATIVE REMEDY DEMAND, and acknowledge myself bound to pay or cause to be paid all cost which may accrue in this action, either to the opposite party, or to any of the officers or agents AMERICAN TRUST AND SAVINGS BANK, in pursuance of the laws of this State, and/or the District of Columbia.

THE CONDITIONS PRECEDENT to the stipulation and bond for release of security interest is that if claimant AMERICAN TRUST AND SAVINGS BANK, shall answer all the petitions within the PRIVATE ADMINISTRATIVE REMEDY DEMAND and receive a damage award, this bond shall remain in full force and effect. If claimant AMERICAN TRUST AND SAVINGS BANK, fails to produce a valid claim under the terms hereof, together with the attached agreement, this bond shall be void for failure of specific performance.

BY: Kurt P. Johnson

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

JUSTIFICATION OF SURETY SUBROGATION

Personally appeared this day before me KURT JOHNSON of 32108 Alvarado Blvd. #381, Union City, CA. 94587 of the County and State aforesaid, surety on the bond of Dorean Group 32108 Alvarado Blvd. #381, Union City, CA. 94587, who being duly sworn, deposes and says that he is seized of his right mind, and that over and above all of his just debts and liabilities, in property not exempt by law from levy and sale under execution, of a clear unencumbered estate of the value in excess of Five Hundred Forty-four Thousand and no 00/100 Dollars, within the jurisdiction of this State and/or the District of Columbia.

Subscribed and sworn to before me this 24th day of JUNE A.D., 2004

Signature of Notary

JENNIFER C. HOLTZER
Commission # 1484690
Notary Public - California
Alameda County
My Comm. Expires Apr 20, 2008

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LITHO IN U.S.A.