Entered for taxation 11th day
of August A.D., 2005
Sharon McGrabb Auditor
By A. Schmidt, Deputy
87-194

Book 2005 Page 2788

Document 2005 2788 Type 04 004 Pages 3
Date 8/10/2005 Time 10:32 AM
Rec Amt $17.00 Aud Amt $5.00

DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return to: Contract Exchange Corp, PO Box 8162, Cedar Rapids, IA 52408
Preparer Information: Nancy C. Malloy, 1420 1st Avenue NE, Cedar Rapids, IA 52402 (319) 363-8827
Address Tax Statements: Contract Exchange Corp, PO Box 8162, Cedar Rapids, Iowa 52408
Legal description can be found on page 2.

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

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

The Undersigned, first being duly sworn 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.

- David R. Mangold and Jennifer L. Mangold were served at 3049 140th Avenue, Ryan, Iowa on July 7, 2005.

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 vendee(s) 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. The real estate contract was recorded February 3, 2004 in Book 2004 at Page 324 of the Delaware County, Iowa Recorder's Office.

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 the 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.

Nancy C. Malloy

Nancy C. Malloy, Agent
For Grantor – Ronald M. Delaney IRA, Guaranty Bank & Trust Company as Trustee

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 8th day of August, 2005.

Anthony E. Schubert

Anthony E. Schubert, Notary Public
in and for the State of Iowa.

ANTHONY E. SCHUBERT
COMMISSION NUMBER 168983
MY COMMISSION EXPIRES
APRIL 5, 2006

NOTICE OF FORFEITURE OF A REAL ESTATE CONTRACT

TO: DAVID R. MANGOLD AND JENNIFER L. MANGOLD

You and each of you are hereby notified:

1. The written contract dated January 30, 2004 and recorded February 3, 2004 in Book 2004 at Page 324 in the office of the Delaware County Recorder and executed by Francis M. Mangold and Betty D. Mangold, as Vendor(s), and David R. Mangold and Jennifer L. Mangold, as Vendee(s), for the sale of the following described real estate situated in **Delaware** County, Iowa, to-wit:

Parcel A, The South 150.00 Feet of the East 870.00 Feet of the South Half of the South Half of the Northeast Quarter, Section 15, Township 87 North, Range 6 West of the 5th Principal Meridian, Delaware County, Iowa, according to the plat recorded in Book 2001, Page 4528.

(locally known as: 3049 – 140th Avenue, Ryan, Iowa)

has not been complied with in the following particulars:

a. Failure to pay monthly payments for August, September, October, November and December, 2004 @ $885.00 each	$ 4,425.00
b. Late charges for August, September, October, November and December, 2004 @ $44.25 each	221.25
c. Failure to pay monthly payments for January, February, March, April, May and June, 2005 @ $982.00 each	5,892.00
d. Late charges for January, February, March, April, May and June, 2005 @ $49.10 each	294.60
e. Cost of servicing @ $85.00	85.00
TOTALS:	$10,917.85

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 attorneys fees claimed by Vendors pursuant to Section 656.7 of the Code of Iowa is $ -0- (not to exceed $50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

Ronald M. Delaney IRA
Guaranty Bank and Trust Company as Trustee

BY: Nancy C Malloy
Nancy C. Malloy, (their agent)

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
_____	_____	_____
_____	_____	_____

(#2496)

FORM 101H-012 FIDLAR ELECTION CO., ROCK ISLAND, ILLINOIS

In the Iowa District Court, for Delaware County

Ronald M Delaney IRA

Case Name Darcy Malloy|Guaranty Bank and Trust Company As Trustee/vs/David & Jennifer Mangold
Case No. N/A
Notice recd. this date 6/28/05

STATE OF IOWA
Delaware COUNTY } SS

RETURN OF SERVICE: Type of Service Code

- X Personal 1
- X Dwelling/Substitute 2
- ____ Hotel, Boarding/Rooming House 3
- ____ 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 of Forfeiture of Real estate Contract

Served: Type Code

Jennifer L Mangold (NAME) at 3049 140th Ave. Ryan, Ia (ADDRESS) on 7/7/05 (DATE) | 1 |
____ at ____ on ____ | |
____ at ____ on ____ | |
____ at ____ on ____ | |
____ at ____ on ____ | |
David R Mangold (NAME) by serving Jennifer L Mangold (NAME) at 3049 140th AVe. (ADDRESS) | 2 |
____ on ____, (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 7/7/05 (DATE), at Ryan, Iowa

NOTES: (Diligent Search, etc.)

John A LeClere, Sheriff
Delaware, County, Iowa

PAID Date 7-11-05 Ck. No 153224

Fees:
Service 15.00
Mileage 8.10
Copy 10.00
Total 33.10

Kraig Myers 28-8
DEPUTY SHERIFF (OFFICIAL TITLE)
Kraig Myers Deputy 28-8

Fees charged to/paid by Atty/Party:

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