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Sharon McCrabb Auditor
By A. Schmidt, Deputy
89-4

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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

THE IOWA STATE BAR ASSOCIATION
Official Form No. 176
Recorder's Cover Sheet

1999-3137

chg 5.00

Preparer Information: (Name, address and phone number)
(X) Dan McClean, 401 First Avenue East, Dyersville, IA 52040, Phone: (563) 875-6002

Taxpayer Information: (Name and complete address)
Ronald Pasker
1761 Wente Road
New Vienna, IA 52065

Return Document To: (Name and complete address)
Ronald Pasker
1761 Wente Road
New Vienna, Ia 52065

Grantors:
Ronald J. Pasker

Grantees:
Larry D. Block
Juanita K. Block

Legal description: See Page ~~2~~ 3

Document or instrument number of previously recorded documents:

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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.
●

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.

Ronald J. Pasker
Affiant

Signed and sworn to (or affirmed) before me on Dec. 20, 2005, by Ronald J. Pasker.

NOTARIAL SEAL IOWA
JOANN K. HAWKINS
COMMISSION NO. 101422
MY COMMISSION EXPIRES
12-10-07

JoAnn K. Hawkins
, Notary Public

● 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

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NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Larry D. Block and Juanita K. Block
P.O. Box 157, Earlville, IA 52041

You and each of you are hereby notified:

(1) The written contract dated September 1, 1999, and executed by Ronald J. Pasker as Vendors, and Larry D. Block and Juanita K. Block as Vendees, (insert recording data) recorded the 8th day of September, 1999, in the office of the Delaware County Recorder, recorded as document reference number Book 1999, Page 3137 for the sale of the following described real estate:

Lot Five (5) of the Subdivision of Lot One(1) in the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section Four (4), Township Eighty Nine (89) North, Range Three (3), West of the Fifth P.M., according to plat recorded in Book 2 Plats, Page 6, Delaware County, Iowa.

has not been complied with in the following particulars:

(a)	Any and all provisions of the real estate contract dated	$ 30,000.00
(b)	September 1, 1999	$
(c)		$
(d)		$
	Total	$ 30,000.00

(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.

Ronald J. Pasker

Vendors
(or Successors in Interest)

By _____
Dan McClean
Their Attorney -

Address: 401 First Avenue East, Dyersville, IA 52040

Chapter 656, The Code

NOTE: If the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq., applies to this communication, attach Form No. 172, Notice of Validation of Debt.

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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
Larry Block	11-1-5	Dyersville, Iowa
Juanita Block	11-1-05	Dyersville, Iowa

MEMO AND AFFIDAVIT OF SERVICE

STATE OF IOWA
County of Dubuque } SS.

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

Name	Month	Day	Year	City Town or Township	County	State
Larry D. Block	11	1	05	Dyersville	Dubuque	Iowa
Juanita K. Block	11	1	05	Dyersville	Dubuque	Iowa

JoAnn K. Hawkins
JoAnn K. Hawkins

Subscribed in my presence and sworn to before me by said affiant this 1st day of November, 2005.

LAURA L ROY
Commission Number 731781
My Commission Expires
12-3-07

Laura L. Roy
Notary Public in and for said County and State