(+) Elderkin + Pirnie
P.O. Box 1968
Cedar Rapids IA
52406-1968

Entered for taxation 20 day
of June A.D., 2007
Carla K. Becker, Auditor
By D. Wittman, Deputy
Parcel #630-29-21-024-00
89-168

Book 2007 Page 1987

Document 2007 1987 Type 04 004 Pages 4
Date 6/20/2007 Time 10:28:48AM
Rec Amt $22.00 Aud Amt $5.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT
Recorder's Cover Sheet

Preparer Information: (name, address and phone number)
Cynthia Hanna Castelletti, 115 1st Avenue SE, Cedar Rapids, IA 52401, Phone: (310) 362-2137

Taxpayer Information: (name and complete address)
Kennene Real Estate Exchange, L.C.
1730 S. 22nd Street, Marion, IA 52302

Return Document To: (name and complete address)
Cynthia Hanna Castelletti, 115 1st Avenue SE, Cedar Rapids, IA 52401

Grantors:
Cynthia Hanna Castelletti
Kristina L. Bates
Grantees:
Kennene Real Estate Exchange, L.C.

Legal Description:

The East thirty six (36.0) feet of Lot Eleven (11) and the West twenty four (24.0) feet of Lot Ten (10) of the Subdivision of Lot Nine (9) of the Subdivision of part of the North one-half (N ½) of the Southeast Quarter (SE ¼) and the South one-half (S ½) of the Northeast Quarter (NE 1/ 4) of Section Twenty Nine (29), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to the plat recorded in Book A Plats, Page 73

Document or instrument number of previously recorded documents:

Real estate contract recorded in Book 2006, Page 3581, Delaware County Recorder

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

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

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 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 has not 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 canceled and is of no force and effect whatsoever.

Cynthia Hanna Castelletti

Cynthia Hanna Castelletti, Affiant

Signed and sworn to (or affirmed) before me on this 19 day of June, 2007, by Cynthia Hanna Castelletti.



Kelly Jakubec

Kelly Jakubec, Notary Public

Notary Public in and for the State of Iowa.

ASAP PROCESS SERVICE
230 1ST AVE. E.
LISBON, IA 52253
(319) 455-2490

CASE #_____
DOCUMENTS SERVED
Notice of Forfeiture of Real Estate Contract

AFFIDAVIT OF RETURN OF SERVICE

THE STATE OF IOWA

SS **RETURN OF SERVICE OF ORIGINAL NOTICE**

Linn County
The within notice received this 12th day of May, 2007, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective names:

NAME OF DEFENDANT	TIME	MO.	DAY	YR.	CITY, TOWN	COUNTY	ST.
Kristina L. Bates	5:45pm	May	17	2007	116 Clarastine Manchester	Delaware	Ia

FEES:
Service $ 25.00
Mileage $ 40.00
Total $ 65.00

BY: Roy Cook
Professional Independent Process Server

THE STATE OF IOWA

SS **RETURN OF SERVICE OF ORIGINAL NOTICE**

_____ County
The within notice received this _____ day of _____, 2007, and I certify that on the _____ day of _____, 2007, I served the same on the defendant _____
A. At his dwelling house or usual place of abode in city, town or township of _____ in _____, _____ County, State of Iowa, by there delivering a copy thereof to _____, a person residing therein who was then at least 18 years old.
B. That such place was a rooming house, hotel, club or apartment building (1), and the person to whom the copy was delivered was _____(2).
C. That the above named defendant is _____,
(designate if a partnership corporation or individual suable under a common name)
by delivering a copy thereof to _____, _____(3) of said defendant in the city, town or township of _____ County, State of Iowa.

BY:_____
Professional Independent Process Server

D. **ACCEPTED SERVICE:** Due and legal service of the within notice and receipt of a copy of the same is hereby acknowledged on this _____ day of _____, _____ at _____, Iowa.

BY: _____

(1) Strike out words that are not appropriate.
(2) Insert "a member of defendant's family" or "the manager, Clerk, proprietor or custodian of such place" that may state the facts.
(3) Designate whether office, agent, general partner, etc., as may be appropriate under Rule 56.

Iris M. Cook
Notary Seal
Notary Public State of Iowa
No. 196096
Commission Expires 04/29/10

REMARKS (SERVICE TIME) 5:43 pm
ASAP Case Number 7-0667
SUBSCRIBED AND SWORN TO BEFORE ME THE SAID Iris M. Cook **THIS** 17th **DAY OF** May, 2007.
NOTARY SEAL
MY COMMISSION EXPIRES 04/29/10
PROCESS FEES PAID BY ASAP CLIENT

ASAP SERVICES

NOTICE OF FORFEITURE
OF REAL ESTATE CONTRACT

TO: Kristina L. Bates and all parties in possession:
116 Clara Avenue
Manchester, Iowa 52057

You and each of you are hereby notified:

(1) The written contract dated the 22nd day of August, 2006, and filed for record on October 2nd, 2006, in Book 2006, Page 3581 in the office of the Delaware County Recorder and executed by Kennene Real Estate Exchange, L.C., as Vendor, and Kristina L. Bates, as Vendee, for the sale of the following described real estate:

The East thirty six (36.0) feet of Lot Eleven (11) and the West twenty four (24.0) feet of Lot Ten (10) of the Subdivision of Lot Nine (9) of the Subdivision of part of the North one-half (N ½) of the Southeast Quarter (SE ¼) and the South one-half (S ½) of the Northeast Quarter (NE 1/ 4) of Section Twenty Nine (29), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to the plat recorded in Book A Plats, Page 73

has not been complied with in the following particulars:

(a) Failure to pay the May 1, 2007 payment	$468.45
(b) Failure to pay one-twelfth property taxes due May 1, 2007	67.00
(c) Failure to pay one-twelfth insurance premium due May 1, 2007	113.00
	Total $648.45

(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 Vendor pursuant to Section 656.7 of the Code of Iowa is $50.00. Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

Kennene Real Estate Exchange, L.C.

By Cynthia Hanna Castelletti
Cynthia Hanna Castelletti, Its Attorney
115 1st Avenue SE, Cedar Rapids, IA 52401