Entered for taxation 14 day
of June A.D., 2010
Carla Becker, Auditor
By Pfargraten, Deputy
R-162

Book 2010 Page 1774
Document 2010 1774 Type 04 04 28 Pages 10
Date 6/11/2010 Time 10:27:19AM
Rec Amt $54.00 Aud Amt $5.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
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

Preparer Information: (Name, address and phone number)
Tom Jenk, Attorney at Law, 225 First Avenue East, P.O. Box 304, Dyersville, IA 52040-0304
Telephone: (563) 875-9112

Taxpayer Information: (Name and complete address)
Linda Nurre, 800 Nichols Blvd., Apt. 208, Sparks, Nevada 89434

Return Document To: (Name and complete address)
Tom Jenk, Attorney at Law, 225 First Avenue East, P.O. Box 304, Dyersville, IA 52040-0304

Grantor:
Brian A. Sibel

Grantee:
Linda L. Nurre f/k/a Linda L. Nurre-White

Legal description: See Page 2

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.

● The written contract executed by Linda L. Nurre f/k/a Linda L. Nurre - White, as Vendor and Brian A. Sibel, as Vendees, recorded on the 19th day of May, 2009, in the office of the Delaware County Recorder, recorded as document reference number Book 2009, Page 1969 on the following described property:

The North forty-six and one-half (46 1/2) feet of Lot Eleven (11), Earl's North Addition to Nottingham, now Earlville, Iowa, according to plat recorded in Book 10, L.D., Page 409, subject to highway and easement of record.

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.

Rachael Lyn Scott
Rachael Lyn Scott, Affiant

Signed and sworn to (or affirmed) before me on 3rd day of June, 2010, by Rachael Lyn Scott

KARLA KLUESNER
NOTARIAL SEAL IOWA
Commission Number 145960
My Commission Expires
January 14, 2012

Karla Kluesner
Karla Kluesner, 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: See 1 in Addendum

You and each of you are hereby notified:

(1) The written contract dated May 15, 2009, and executed by Linda L. Nurre f/k/a Linda L. Nurre - White as Vendors, and Brian A. Sibel as Vendees,

(insert recording data) recorded the 19th day of May, 2009, in the office of the Delaware County Recorder, recorded as document reference number Book 2009, Page 1969 for the sale of the following described real estate:

The North forty-six and one-half (46 1/2) feet of Lot Eleven (11), Earl's North Addition to Nottingham, now Earlville, Iowa, according to plat recorded in Book 10, L.D., Page 409, subject to highway and easement of record.

has not been complied with in the following particulars:

(a)	Principal and Interest	$ 75,366.10
(b)	Real Estate Taxes (fiscal 2008-2009)	$ 249.99
(c)	Utilities	$ 105.94
(d)		$
	Total	$ 75,722.03

(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.

Linda L. Nurre f/k/a Linda L. Nurre - White

Vendors
(or Successors in Interest)

By Tom Jenk
Their Attorney -

Address: P.O. Box 304, Dyersville, Iowa 52040-0304

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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Addendum

1. Brian A. Sibel, 409 South Tama Street, Manchester, Iowa 52057, Lisa J. Sibel, 409 South Tama Street, Manchester, Iowa 52057, Sibel, L.L.C. by Lisa Sibel, Registered Agent, 6 Northern Avenue, Earlville, Iowa 52041, Midwest Check Cashing, Inc., by Timothy C. Hogan, Registered Agent, 3101 Ingersoll Avenue, Des Moines, Iowa 50312, Community Savings Bank by Scott Wegmann, Vice President/Branch Manager, 19 Northern Avenue, Earlville, Iowa 52041 and the Delaware County Treasurer by Carolyn Wilson, Treasurer, 301 East Main Street, P.O. Box 27, Manchester, Iowa 52057.

Return of Service

IN THE IOWA DISTRICT COURT DELAWARE COUNTY

Case Name: LINDA L. NURRE FKA LINDA L. NURRE-WHITE

VS

SIBEL, BRIAN ET AL

Case No.: **S.O. No.:** 2,318

Notice Received This Date: 5/03/2010

STATE OF IOWA

DELAWARE County } SS.

I certify that I served a copy of: NOTICE OF FORFEITURE OF RE CONTRA

Served:

BRIAN SIBEL **at** 409 SOUTH TAMA MANCHESTER IA

on 5/03/2010 8:23 PM **Type Of Service:** PERSONAL

Notes: Diligent Search/Remarks

FEES:	
Processing:	$15.00
Mileage :	$1.00
Copy :	
Notary :	
Misc. :	
Total :	**$16.00**

JOHN LECLERE ,SHERIFF
DELAWARE COUNTY IA

DEPUTY JO AMSDEN

FEES PAID BY: Attorney

PAID Date 5-6-10 Ck. No. 8324

Return of Service

IN THE IOWA DISTRICT COURT DELAWARE COUNTY

Case Name: LINDA L. NURRE FKA LINDA L. NURRE-WHITE

VS

SIBEL, BRIAN ET AL

Case No.: **S.O. No.:** 2,318

Notice Received This Date: 5/03/2010

STATE OF IOWA

DELAWARE County } SS.

I certify that I served a copy of: NOTICE OF FORFEITURE OF RE CONTRA

Served:

LISA SIBEL **at** 409 SOUTH TAMA MANCHESTER IA

on 5/03/2010 8:23 PM **Type Of Service:** PERSONAL

Notes: Diligent Search/Remarks

FEES:	
Processing:	$15.00
Mileage :	
Copy :	
Notary :	
Misc. :	
Total :	**$15.00**

FEES PAID BY: Attorney

PAID Date 5-6-10 Ck. No. 8324

JOHN LECLERE ,SHERIFF
DELAWARE COUNTY IA

DEPUTY JO AMSDEN

Return of Service Sub-Service

IN THE IOWA DISTRICT COURT DELAWARE COUNTY

Case Name: LINDA L. NURRE FKA LINDA L. NURRE-WHITE

vs

SIBEL, BRIAN ET AL

Case No.: **S.O. No.:** 2,318

Notice Received This Date: 5/03/2010

STATE OF IOWA

DELAWARE COUNTY } SS.

I certify that I served a copy of: NOTICE OF FORFEITURE OF RE CONTRA

Served:

SIBEL LLC **at** 409 SOUTH TAMA MANCHESTER IA

on 5/03/2010 8:23 PM **Type Of Service:** CORPORATION

Served: SIBEL LLC

By Serving: **at**

on / / **at**

Relationship:

SIBEL LLC **by serving** LISA SIBEL **it's** REGISTER AGEN **on** 5/03/2010

(Company) **(Name)** **(Title)**

8:23 PM **at** 409 S TAMA MANCHESTER

Notes: Diligent Search/Remarks

FEES:

Processing:	$10.00
Mileage :	
Copy :	
Notary :	
Misc. :	
Total :	**$10.00**

FEES PAID BY: Attorney

PAID Date 5-6-10 Ck. No. 8324

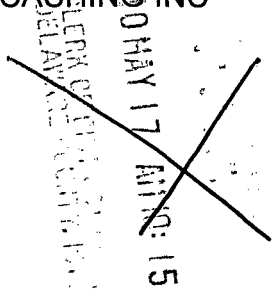
JOHN LECLERE ,SHERIFF
DELAWARE COUNTY IA

DEPUTY JO AMSDEN

RETURN OF SERVICE

In the Iowa District Court For DELAWARE COUNTY

Case Name: LINDA L NURRE FKA LINDA L NURRE WHITE
vs
TIMOTHY C HOGAN REGISTERED AGENT MIDWEST CHECK CASHING INC



Case No.: Sheriff's File No.: 10010220
Notice rec'd : 5/3/2010

STATE OF IOWA POLK COUNTY } SS.

I certify that I served a copy of : NOTICE

to TIMOTHY C HOGAN Type of service: REGISTERED AGENT

by delivering a copy to: SVD SARAH MURPHY

a person at least 18 years of age

Address of service: REG AGENT MIDWEST CHECK CASHING INC 3101 INGERSOLL AVENUE DES MOINES, IA 50312

Date and time of service: 5/6/2010 9:35AM
Trips: This is the first attempt at service

Comments:

FEES:

PROCESSING FEE ($15.00), MILEAGE FEE ($4.00) Total Charges $19.00

BILL McCARTHY Sheriff

Polk County, Iowa

R. Bartholomew

ROBYN BARTHOLOMEW **Deputy/Server**

PAID

MAY 13 2010

POLK COUNTY SHERIFF

Return of Service Sub-Service

IN THE IOWA DISTRICT COURT DELAWARE COUNTY

Case Name: LINDA L. NURRE FKA LINDA L. NURRE-WHITE

VS

SIBEL, BRIAN ET AL

Case No.: **S.O. No.:** 2,318

Notice Received This Date: 5/03/2010

STATE OF IOWA

DELAWARE COUNTY } SS.

I certify that I served a copy of: NOTICE OF FORFEITURE OF RE CONTRA

Served:

COMMUNITY SAVINGS BANK **at** 19 NORTHERN AVE EARLVILLE IA

on 5/04/2010 2:00 PM **Type Of Service:** CORPORATION

Served: COMMUNITY SAVINGS BANK

By Serving: **at**

on / / **at**

Relationship:

COMMUNITY SAVINGS BA **serving** SCOTT WEGMANN **it's** AGENT **on** 5/04/2010
(Company) **(Name)** **(Title)**

2:00 PM **at** 19 NORTHERN AVE EARLVILLE

Notes: Diligent Search/Remarks

FEES:	
Processing:	$15.00
Mileage :	$10.00
Copy :	
Notary :	
Misc. :	
Total :	**$25.00**

FEES PAID BY:

JOHN LECLERE ,SHERIFF
DELAWARE COUNTY IA

CHIEF DEPUTY ERIC BROOKS

PAID Date 5-6-10 Ck. No. 8324

Return of Service Sub-Service

IN THE IOWA DISTRICT COURT DELAWARE COUNTY

Case Name: LINDA L. NURRE FKA LINDA L. NURRE-WHITE

VS

SIBEL, BRIAN ET AL

Case No.: **S.O. No.:** 2,318

Notice Received This Date: 5/03/2010

STATE OF IOWA

DELAWARE COUNTY } SS.

I certify that I served a copy of: NOTICE OF FORFEITURE OF RE CONTRA

Served:

DELAWARE CO TREASURER **at** 301 E MAIN MANCHESTER IA

on 5/04/2010 9:35 AM **Type Of Service:** OFFICIAL

Served: DELAWARE CO TREASURER

By Serving: **at**

on / / **at**

Relationship:

DELAWARE CO TREASURE **erving** CAROLYN WILSON **it's** TREASURER **on** 5/04/2010

(Company) **(Name)** **(Title)**

9:35 AM **at** 301 E MAIN MANCHESTER

Notes: Diligent Search/Remarks

FEES:

Processing:	$15.00
Mileage :	
Copy :	
Notary :	
Misc. :	
Total :	**$15.00**

FEES PAID BY: Attorney

JOHN LECLERE ,SHERIFF

DELAWARE COUNTY IA

28-2

CHIEF DEPUTY ERIC BROOKS

PAID Date 5-6-10 Ck. No. 8324