ENV. Title Services
603 Commercial St
Waterloo, IA 50701

Book 2013 Page 813
Document 2013 813 Type 06 010 Pages 5
Date 3/01/2013 Time 3:09:43PM
Rec Amt $27.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

AFFIDAVIT PURSUANT TO IOWA CODE SECTION 624.23

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)
David R. Elkin, 315 E. 5th St., Suite 5, Des Moines, IA 50309-1916, Phone: (515) 244-3188

Taxpayer Information: (name and complete address)
Nationwide Advantage Mortgage Company, P.O. Box 919000, Des Moines, Iowa 50391-9000

Return Document To: (name and complete address)
David R. Elkin, 315 E. 5th St., Suite 5, Des Moines, IA 50309-1916, Phone: (515) 244-3188

Grantor (Party whose lien is being extinguished):
Discover Bank

Grantee (Owner of record):
Nationwide Advantage Mortgage Company

Legal Description:
Lot Six Hundred Fifteen (615), Manchester, Iowa, according to the Plat recorded in Book I L.D., Page 284

Document or instrument number of previously recorded documents:

AFFIDAVIT PURSUANT TO IOWA CODE SECTION 624.23

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

I, David R. Elkin, being first duly sworn on oath hereby depose and state I am the attorney for Nationwide Advantage Mortgage Company which is the current titleholder of the real property legally described as:

> Lot Six Hundred Fifteen (615), Manchester, Iowa, according to the Plat recorded in Book I L.D., Page 284;

that a recent record search revealed a judgment rendered against Defendant by the Iowa District Court for Delaware County on April 4, 2011 for the sum of $5,788.63 plus interest and costs in an action entitled Discover Bank, Plaintiff, v. Donald C. Fisher, Defendant, Case No. LACV007048; that Donald C. Fisher was a prior titleholder of the above-described real property; that the aforementioned judgment therefore appeared to constitute a potential lien against the above-described real property and created a cloud upon the title thereto; that I did cause to be served upon Discover Bank, as the holder of said judgment, the attached Notice and Affidavit of Homestead Exemption on January 16, 2012, proof of which service is also attached hereto; that Discover Bank has failed to levy execution against the above-described real property within thirty (30) days after being served with such Notice and Affidavit; and that any lien against the above–described real property arising from the aforementioned judgment in favor of Discover Bank and all benefits derived from such lien have been forfeited pursuant to the provisions of Iowa Code Section 654.23. This Affidavit is given to show that the aforementioned judgment is no longer a lien against the above-described real property and to remove any cloud upon the title thereto arising by reason of such judgment.

Dated this 18th of February, 2013.

David R. Elkin, Affiant

Signed and sworn to before me on the 18th day of February, 2013 by David R. Elkin.

Notary Public in and for the State of Iowa.

BARBARA L. KNOLL
COMMISSION NO. 115440
MY COMMISSION EXPIRES
01-12-14

SUSSEX COUNTY SHERIFF'S OFFICE

STATE OF DELAWARE

P.O. Box 948
Georgetown, DE 19947
Sheriff Sales 302-855-7735
Civil and Criminal 302-858-5519
Fax 302-855-7832
www.sussexcountyde.gov

AFFIDAVIT OF SERVICE

STATE OF DELAWARE

COUNTY OF SUSSEX

I HEREBY CERTIFY that on this 17th day of January, 2013, before me, the subscriber, a Notary Public of the State and County Aforesaid, personally appeared Benny Gordy and made oath in due form of law that he served a copy of an Out of State document upon Helen Maloney, Admin. Asst. for Discover Bank on January 16th , at 502 East Market St., Greenwood, DE 19950 and made oath in due form of law that he is authorized to serve proves under the law of the State of Delaware and the County of Sussex.

AS WITNESS my hand and Notarial Seal, the day and year first above written.

Tina L Timmons
Notary Public
My Commission expires: 8/16/14

TINA L. TIMMONS
NOTARY PUBLIC
STATE OF DELAWARE
Commission Expires on August 16, 2014

TINA L. TIMMONS MY COMMISSION EXPIRES AUG. 16, 2014 NOTARY PUBLIC STATE OF DELAWARE

Deputy Benny Gordy
Signature of Sheriff/Deputy Making Service

549

SHERIFF DEPT.
SUSSEX CO. DE

2013 JAN 11 P 1:35

NOTICE AND AFFIDAVIT OF HOMESTEAD EXEMPTION

TO: Discover Bank
502 East Market Street
Greenwood, DE 19950

RE: Judgment vs. Donald C. Fisher in Delaware County, Iowa Case No. LACV007048

DESCRIPTION OF PROPERTY CLAIMED AS HOMESTEAD BY JUDGMENT DEBTOR:

Lot Six Hundred Fifteen (615), Manchester, Iowa, according to the Plat recorded in Book I L.D., Page 284
(Locally known as 913 W. Marion Street, Manchester, Iowa)

You are hereby notified that the undersigned is the current owner in fee simple of the real property described hereinabove, having acquired title thereto by Sheriff's Deed pursuant to a foreclosure of mortgage in Case No. EQCV007355 now on file with the Iowa District Court for Delaware County; that you have an apparent potential lien against the subject by reason of a certain judgment filed of record in in action entitled Discover Bank v. Donald C. Fisher, Case No. LACV007048 wherein judgment was rendered by the Iowa District Court for Delaware County on April 4, 2011 for the sum of $5,788.63 plus interest and costs; that the judgment debtor, Donald C. Fisher, is one of the former titleholders of the above-described real property; that the said judgment debtor filed for relief from creditors with the United States Bankruptcy Court for the Northern District of Iowa on April 26, 2012 in Case No. 12-00813; that the judgment debtor claimed the above real property as an exempt homestead therein pursuant to Iowa Code Section 561.16; that the meeting of creditors therein was held and concluded on May 29, 2012; that the time to file any objection to the claimed exemption expired thirty (30) days after the conclusion of the meeting of creditors, or on April 28, 2012; that no objection to the claimed exemption was filed and the time therefore has expired; and that the aforementioned judgment rendered in favor of Discover Bank by the Iowa District Court for Delaware County on April 4, 2011 in Case No. LACV 007048 therefore does not appear to attach as a lien against the judgment debtor's former homestead which is legally described hereinabove.

Pursuant to Section 624.23, Code of Iowa, you have thirty (30) days from the date that this Notice is served upon you to levy execution against the above-described real property. If you fail to levy execution against the above-described real property within such thirty (30) day period, the judgment lien and all benefits derived from the lien as to the above-described real property shall be forfeited. Take notice and govern yourself accordingly.

Dated this 7th day of January, 2013.

NATIONWIDE ADVANTAGE MORTGAGE COMPANY

By _____

David R. Elkin
315 East 5th Street, Ste 5
Des Moines, Iowa 50309
Telephone: (515) 244-3188
Facsimile: (515) 244-3189
ATTORNEY FOR NATIONWIDE ADVANTAGE MORTGAGE COMPANY

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STATE OF IOWA)
) ss.
COUNTY OF POLK)

Subscribed and sworn to before me, a Notary Public in and for the State of Iowa this 7th day of January, 2013.

Notary Public

NOTARIAL SEAL IOWA

HARVEY L. CRABB
COMMISSION NO. 720507
MY COMMISSION EXPIRES
1-22-2015