Entered for taxation 7th day
of May AD 2018
Carla K. Bachar, Auditor
By P. Hildebrand, Deputy

Book 2018 Page 1180

Document 2018 1180 Type 04 004 Pages 5
Date 5/04/2018 Time 3:22:23PM
Rec Amt $27.00 Aud Amt $5.00

Daneen Schindler, 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)
Timothy T. Schloss, 118 West Mission Street, Strawberry Point, IA 52076, Phone: (563) 933-2029

Taxpayer Information: (Name and complete address)
Randy Willie, PO Box 388, Strawberry Point, Iowa 52076

Return Document To: (Name and complete address)
Randy Willie, PO Box 388, Strawberry Point, Iowa 52076

Grantors:
Randy D. Willie

Grantees:
Nancy J. Sullivan

Legal description: See Page 3

Document or instrument number of previously recorded documents: Contract Book 2016 Page 2537

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AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IT MAY CONCERN: STATE OF IOWA, COUNTY OF CLAYTON, ss:

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 canceled and is of no force and effect whatsoever.

Randy D. Willie

Randy D. Willie, Affiant

Signed and sworn to (or affirmed) before me on May 1, 2018, by Randy D. Willie.

TIMOTHY T. SCHLOSS
Commission Number 112102
My Commission Expires
11/7/2020

Signature of 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.

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RECEIVED
SHERIFF'S OFFICE
DELAWARE COUNTY, IA
DATE 3.29.16 TIME 3:09 pm

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Nancy J. Sullivan, 512 2nd Street, Colesburg, Iowa 52035

You and each of you are hereby notified:

1. The written contract dated September 20, 2016, and executed by Randy D. Willie and Kimberly D. Willie as vendors, and Nancy J. Sullivan as vendees, recorded on September 21, 2016, in the office of the Delaware County Recorder, recorded as document reference number Book 2016 Page 2537, for the sale of the following described real estate:

Lot Seven (7), Block One (1), First Northern Addition to Colesburg, Iowa, according to Amended and Corrected Plat of Incorporated Town of Colesburg, Iowa, recorded in Book 1 Plats, Pages 73-86

has not been complied with in the following particulars:

(a) Failure to make payments	$	1,500.00
(b) Failure to pay property taxes	$	1,541.00
(c) Failure to have insurance	$	213.11
(d) Contract payoff due	$	81,008.51
Total	$	84,262.62

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.

Kimberly D. Willie, Vendor

Randy D. Willie, Vendor
(or Successors in Interest)

By
Timothy T. Schloss, Attorney
ICIS PIN No: AT0007025

118 W Mission Street
Strawberry Point, IA 52076
Address

Chapter 656. The Iowa 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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DELAWARE COUNTY SHERIFF'S OFFICE
JOHN A. LECLERE, SHERIFF
PO BOX 116
MANCHESTER, IA 52057

(563) 927-3135

INVOICE

Date: 04/02/2018

To:

RANDY WILLIE
114 COMMERCIAL ST
STRAWBERRY POINT, IA 52076

Case Information:

RANDY WILLIE AND KIMBERLY WILLIE **VS** **NANCY J. SULLIVAN**	Case Number: **SULLIVAN,NANCY** Civil Number: **18-000175** Date Received: **03/29/2018 @ 15:09**

Processes:

NOTICE OF FORFEITURE OF RE CONTRACT

Party Served	Date	Service Fee	Mileage	Copies	Other Fees	Total
SULLIVAN,NANCY 417 SECOND ST, COLESBURG, IA 52035	**03/31/2018**	30.00	54.50	0.00	0.00	84.50

P.O. 4/4/18 # 4563 $84.50

Total Fees:	**84.50**
Total Payments:	**0.00**
Amount Due:	**84.50**

Comments: ORIGINAL RETURN ENCLOSED.

Due upon Receipt

Please Return with your Remittance

Case Number: **SULLIVAN,NANCY**
Civil Number: **18-000175**
Date Invoiced: **4/2/2018**
Amount Due: **84.50**

18000175

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

RANDY WILLIE AND KIMBERLY WILLIE
VS
NANCY J SULLIVAN

Case Number: **SULLIVAN,NANCY**
Civil Number: **18-000175**
Date Received: **03/29/2018** @ **15:09**
Date Printed: 04/02/2018 @ 10:11

STATE OF IOWA
DELAWARE COUNTY }

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

To: **SULLIVAN,NANCY** **at** **417 SECOND ST COLESBURG, IA 52035**
on **03/31/2018** @ **21:15** Type of Service: **PERSONAL**
Remarks:

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: ***/S/*** DEPUTY TRAVIS HEMESATH

Fees:

Service Fees:	30.00
Mileage:	54.50
Copies:	0.00
Total:	84.50

Paid By:
Date:
Check #: