Book 2020 Page 717
Document 2020 717 Type 04 004 Pages 7
Date 3/17/2020 Time 10:51:44AM
Rec Amt $37.00 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)
Steven E. Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057, Phone: (563) 927-4164

Taxpayer Information: (Name and complete address)
Shane Burbridge, 129 E. Honeycreek Drive, Manchester, IA 52057

Return Document To: (Name and complete address)
Steven E. Carr, 117 S. Franklin Street, PO Box 333, Manchester, IA 52057

Grantors:
Shane Burbridge

Grantees:
Children on First, Inc.
Gregory Bulicek
Nancy Kintzle

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 DELAWARE, 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.

Steven E. Carr, Affiant

Signed and sworn to (or affirmed) before me on March 17, 2020, by Steven E. Carr

WHITNI L. TRAVER
Commission Number 820733
My Commission Expires
October 18, 2022

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 2-7-2020 TIME 3:51pm

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Children on First, Inc., Gregory Bulicek, and Nancy Kintzle

You and each of you are hereby notified:

1. The written contract dated January 1, 2017, and executed by Shane M. Burbridge as vendors, and Children on First, Inc., Gregory Bulicek, and Nancy Kintzle as vendees, recorded on May 8, 2017, in the office of the Delaware County Recorder, recorded as document reference number Book 2017, Page 1269, for the sale of the following described real estate:

The East one-third (E 1/3) and Lot Nine (9) and the West twelve (12.0) feet of Lot Ten (10), Block Four (4), Delhi, Iowa, according to plat recorded in Book A, L.D., Pages 128-129. Commonly known as 314 Franklin Street, Delhi, Iowa.

Including all equipment, fixtures, liquor, inventory, beer, tables, chairs, beers signs, pool sticks, pool tables, ques, pool balls, napkins, watress stands, all glassware, all paperware, all equipment, including but limited to all grills, stoves, fryers, and any and all matters and items contained within the premieses.

has not been complied with in the following particulars:

(a) Four installments of $800.00 each	$	$3,200.00
(b) March 2019 taxes ($715.00) and September 2019 ($717.00) + penalties	$	$1,708.00
(c)	$	
(d)	$	
Total	$	$4,908.00

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.

Shane Burbridge, Vendor

, Vendor
(or Successors in Interest)

By _____
Steven E. Carr, Attorney
ICIS PIN No: AT001317

117 S. Franklin Street, PO Box 333,
Manchester, IA 52057
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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Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

SHANE BURBRIDGE
VS
CHILDREN ON FIRST, I NC , GREGORY BULICEK, AND NANCY KINTZLE

Case Number: **CHILDREN ON FIRST**
Civil Number: **20-000111**
Date Received: **02/07/2020 @ 15:56**
Date Printed: 02/10/2020 @ 11:37

STATE OF IOWA
DELAWARE COUNTY }

I hereby certify that I served a copy of:

NOTICE OF FORFEITURE OF REAL ESTATE CONTRAC

To: **BULICEK,GREGORY. at @ DELAWARE CO SHERIFF-304 E DELAWARE ST MANCHESTER, IA 52057**

on **02/09/2020 @ 09:40** Type of Service: **PERSONAL/AWAY FROM RESIDENCE**

Remarks:

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: **/S/** DEPUTY ERIC HOLUB

Fees:

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

Paid By:
Date:
Check #:

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

SHANE BURBRIDGE
VS
CHILDREN ON FIRST, I NC , GREGORY BULICEK, AND NANCY KINTZLE

Case Number: **CHILDREN ON FIRST**
Civil Number: **20-000111**
Date Received: **02/07/2020 @ 15:56**
Date Printed: 02/10/2020 @ 11:37

STATE OF IOWA
DELAWARE COUNTY }

I hereby certify that I served a copy of:
NOTICE OF FORFEITURE OF REAL ESTATE CONTRAC

To: KINTZLE,NANCY LYNN. at 26201 212TH AVE DELHI, IA 52223
on **02/08/2020 @ 17:50** Type of Service: **PERSONAL**
Remarks:

Fees:

Service Fees:	30.00
Mileage:	11.50
Copies:	0.00
Total:	41.50

Paid By:
Date:
Check #:

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

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

Return of Substitute Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

SHANE BURBRIDGE
VS
CHILDREN ON FIRST, I NC , GREGORY BULICEK, AND NANCY KINTZLE

Case Number: **CHILDREN ON FIRST**
Civil Number: **20-000111**
Date Received: **02/07/2020 @ 15:56**
Date Printed: 02/10/2020 @ 11:37

STATE OF IOWA
DELAWARE COUNTY }

I hereby certify that I served a copy of:
NOTICE OF FORFEITURE OF REAL ESTATE CONTRAC

To: **CHILDREN ON FIRST at @ DELAWARE CO SHERIFF-304 E DELAWARE ST MANCHESTER, IA 52057**
on **02/09/2020 @ 09:40** Type of Service: **CORPORATION/ASSOCIATION**

By substitute service on:
BULICEK,GREGORY. at @ DELAWARE CO SHERIFF-304 E DELAWARE ST MANCHESTER IA
Relationship/Title: **PRESIDENT** Legal Age:

Remarks:

Fees:

Service Fees:	20.00
Mileage:	0.00
Copies:	0.00
Total:	20.00

Paid By:
Date:
Check #:

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: **/S/** DEPUTY ERIC HOLUB

Return of Substitute Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

SHANE BURBRIDGE
VS
CHILDREN ON FIRST, I NC , GREGORY BULICEK, AND NANCY KINTZLE

Case Number: **CHILDREN ON FIRST**
Civil Number: **20-000111**
Date Received: **02/07/2020 @ 15:56**
Date Printed: 02/10/2020 @ 11:37

STATE OF IOWA
DELAWARE COUNTY }

I hereby certify that I served a copy of:
NOTICE OF FORFEITURE OF REAL ESTATE CONTRAC

To: CHILDREN ON FIRST INC. at 26201 212TH AVE DELHI, IA 52223
on **02/09/2020 @ 17:50** Type of Service: **CORPORATION/ASSOCIATION**
By substitute service on:
KINTZLE,NANCY LYNN at 26201 212TH AVE DELHI IA 52223
Relationship/Title: **SEC** Legal Age:

Remarks:

Fees:

Service Fees:	20.00
Mileage:	0.00
Copies:	0.00
Total:	20.00

Paid By:
Date:
Check #:

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

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