



Document 2022 658

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INDX
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

**NOTICE, DEMAND AND AFFIDAVIT RE LEVY OF EXECUTION ON JUDGMENT
LIEN**

Recorder's Cover Sheet

Preparer Information:

Mark D. Reed, 2641 - 86th Street, Urbandale, IA 50322, Phone: (515) 633-3000

Taxpayer Information:

Duane Dobbs, 2893 Highway 169, Winterset, IA 50273

✓ **Return Address**

Duane Dobbs
2893 Highway 169
Winterset, IA 50273

Grantors:

Grantees:

Legal Description: Parcel "B" located in the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Two (2), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 3.00 acres, as shown in Amended Plat of Survey filed in Book 2009, Page 882 on March 26, 2009, in the Office of the Recorder of Madison County, Iowa.

Document or instrument number if applicable:

IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

CAPITAL ONE BANK (USA), N.A.,

Plaintiff(s),

vs.

DUANE DOBBS,

Defendant(s).

Case No. SCSC016641

**NOTICE, DEMAND and AFFIDAVIT RE
LEVY OF EXECUTION ON JUDGMENT
LIEN**

COUNTY OF POLK :
: cc.
STATE OF IOWA. :

COMES NOW the undersigned and upon being duly sworn, does depose and states as follows:


1. The undersigned is the Judgment Debtor, the Judgment Debtor's agent, or a person with an interest in the subject real estate, namely DUANE DOBBS.
2. Pursuant to Iowa Code Section 624.23(2) (2011 as amended) this demand is hereby made upon you as the owner of the judgment entered in this matter on or about June 12, 2019 for \$4,180.83 plus ongoing interest at 4.37%, late charges, fees and court costs of \$137.75 which judgment(s) remain(s) a lien upon the real estate described below.
3. At all relevant times (including prior to judgment and continuously without interruption to the date of this affidavit) the subject property has been maintained and occupied as a homestead as contemplated by Iowa Code Chapter 561.
4. Said property is located at 2893 Highway 169, Winterset, Iowa, and legally described as: **Parcel "B" located in the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Two (2), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 3.00 acres, as shown in Amended Plat of Survey filed in Book 2009, Page 882 on March 26, 2009, in the Office of the Recorder of Madison County, Iowa.**

5. Demand is hereby made that you levy execution against said real estate within thirty (30) days from the date of service of this demand or the lien(s) and all benefits derived from the lien as to said real estate shall be forfeited.
6. This Notice and Demand has been served as shown in the below proof of service upon the Judgment Creditor as set forth in Iowa Code Section 654.4A (1-3) (2012 as amended).

Respectfully submitted,

MARBERRY LAW FIRM, P.C.

By:


Mark D. Reed AT0006562
Marberry Law Firm, P.C.
2641 86th Street
Urbandale, Iowa 50322
Phone: (515) 633-3000
Facsimile: (515) 633-2362
Email: mark@marberrylawfirm.com
ATTORNEYS FOR DEFENDANT
DUANE DOBBS OR MILISSA DOBBS

Subscribed and sworn to before me this 3rd day of January, 2022.


Notary Public, In and For the State of Iowa

Served upon:

Blitt & Gaines, P.C.
2536 – 73rd Street
Urbandale, IA 50322
Email: iowa@blittandgaines.com



IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

CAPITAL ONE BANK (USA), N.A.,

Plaintiff(s),

vs.

DUANE DOBBS,

Defendant(s).

Case No. SCSC016641

**ACCEPTANCE OF SERVICE and
WAIVER**

The undersigned states as follows:

1. That I am a duly authorized agent for the Plaintiff (and/or its Successor in Interest) in the above entitled action and authorized to accept service on behalf of said Plaintiff.

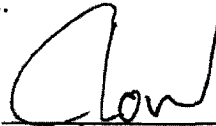
2. That I am over eighteen (18) years of age, under no disability, and legally competent at the time I executed this Acceptance of Service.

3. That by my signature hereto, I hereby acknowledge due and legal service of the Notice, Demand and Affidavit re Levy of Execution on Judgment Lien dated January 3, 2022, waiving any irregularities of service.

4. That said Notice, Demand and Affidavit re Levy of Execution on Judgment Lien is hereby accepted pursuant to Iowa Rules of Civil Procedure 1.302 and Rule 1.305 and Iowa Code Section 654.4A.

5. That by my signature hereto, I affirm and attest that I have read this document, that I understand the statements contained in this Acceptance of Service, that the statements contained are true and correct as I verily believe, and that I am voluntarily executing this document.

Dated this 10 day of January, 2022.



Christopher L. Low (name)

Attorney for Capital One Bank (title), N. A. (USA)

Subscribed and sworn on this 10th day of January, 2022, that before me, the undersigned Notary Public in and for the State of IOWA, personally appeared Christopher L. Low to me known to be the identical person named in and who executed the foregoing instrument and acknowledged the same as his/her voluntary act and deed.



Susan Roberts
NOTARY PUBLIC in and for the State of IOWA