

Book 2005 Page 1330 Type 03 14 Pages 5
Date 3/29/2005 Time 1:52 PM
Rec Amt \$27.00 Aud Amt \$5.00

FOR TAXATION
29 DAY OF Mar 2005
Jan W. Hendricks
Debby Coakley
DEPUTY RECORDER

MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

Tax Statements: FNAC, PO Box 980, East Lansing, MI 48826

Preparer Information Charles W. Hendricks, 4201 Westown Parkway - Suite 250, West Des Moines, (515) 283-1801
Individual's Name Street Address City 50266 Phone

COMPUTER ☒
RECORDED ☒
COMPARED ☒

SPACE ABOVE THIS LINE
FOR RECORDER



AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

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

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.

- Service by publication on all persons whose whereabouts were unknown. Property vacant. Real Estate Contract recorded in Book 62 at Page 704 in the office of the Madison County Recorder.

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.

Charles W. Hendricks

Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 28th day of March, 2005.



BROOKE N. CHRISTENSEN
COMMISSION NO. 729543
MY COMMISSION EXPIRES
JULY 19, 2007

Brooke N. Christensen
Brooke Christensen

Notary Public in and for the State of Iowa.

● 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

AFFIDAVIT OF PUBLICATION

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

To: John Scheurmann, Dawn Scheurmann and/or Occupant(s)
215 South 5th Street, Winterset, IA 50273

You and each of you are hereby notified:

(1) The written contract dated July 14, 1998, and executed by Rod Podoll and Lois Podoll, assigned to First National Acceptance Company, as vendors, and John Scheurmann and Dawn Scheurmann as vendees, recorded the 21st day of September, 1998, in the office of the Madison County Recorder, recorded as document reference number Book 62 at Page 704 as vendees, for the sale of the following described real estate:

Lot Three (3) in Block Four (4) of Gaff and Bevington Addition to the town of Winterset, Madison County, Iowa.

has not been complied with in the following particulars:

(a) Payments - Sept. 2004 - Dec. 2004	1,820.90
(b) Misc. fees	197.78
Total	2,018.68

(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 \$ (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

First National Acceptance Company
A Michigan Corporation
Vendors (or Successors in Interest)

By: Charles W. Hendricks
4201 Westown Parkway, Suite 250
West Des Moines, IA 50266-6720

TED GORMAN BEING DULY SWORN
SAYS HE IS PUBLISHER OF THE
WINTERSET MADISONIAN, a once weekly
newspaper of general circulation,
published in Winterset, Iowa, and that
the notice, a copy which is annexed and
made part hereof, was correctly published
in said newspaper

for the period of three consecutive
weeks, the last publication thereof being

on the 16th day of Feb. 2005

John Gorman
Subscribed and sworn to before me this

24th day of March. 2005

Shirley Lattig
NOTARY PUBLIC
In and for Madison County

Fee \$ 61⁵⁶



RECEIVED
MADISON CO. SHERIFF
WINTERSSET, IOWA

DEC 28 2004

BY 8:10 AM
6/1Preparer Information Charles W. Hendricks, 4201 Westown Parkway, Suite 250, West Des Moines, Iowa 50266-6720, (515) 283-1801
Individual's Name Street Address City PhoneNOTICE OF FORFEITURE
OF REAL ESTATE CONTRACTSPACE ABOVE THIS LINE
FOR RECORDER

TO: John Scheurmann, Dawn Scheurmann and/or Occupant(s), 215 South 5th Street, Winterset, IA 50273

You and each of you are hereby notified:

(1) The written contract dated July 14, 1998, and executed by
Rod Podoll and Lois Podoll, assigned to First National Acceptance Company
as Vendors, and
John Scheurmann and Dawn Scheurmann(insert recording data) recorded the 21st day of September, 1998, in the office of the
Madison County Recorder, recorded as document reference number
Book 62 at Page 704 as Vendees, for the sale of the following described real estate:

Lot Three (3) in Block Four (4) of Gaff and Bevington Addition to the Town of Winterset, Madison County, Iowa.

has not been complied with in the following particulars:

- (a) Payments - Sept. 2004 - Dec. 2004
-
- (b) Misc. fees
-
- (c)
-
- (d)

	<u>1,820.90</u>
	<u>197.78</u>
Total	2,018.68

(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 \$ (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

FIRST NATIONAL ACCEPTANCE COMPANY

A Michigan Corporation

Vendors
(or Successors in Interest)

By

Their Attorney -

Address: Charles W. Hendricks
4201 Westown Parkway, Suite 250, West Des
Moines, Iowa 50266-6720

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.

*** RETURN OF SERVICE ***

IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME:

Personal

PODOLL, ROD AND
PODOLL, LOIS, ASSIGNED TO
FIRST NATIONAL ACCEPTAN

VS

SCHEURMANN, JOHN
SCHEURMANN, DAWN AND/C
OCCUPANT(S)

CASE NO: 04NOTICE014

NOTICE RECEIVED: 12/28/04

STATE OF IOWA

MADISON COUNTY

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

☐ Petition and Original Notice☐ Modification/Application and Notice☐ Order to Show Cause☐ Order Filed☐ Writ☐ Other

Served SCHEURMANN, JOHN

at 1012 N JOHN WAYNE DR
WINTERSET, IA 50273

on 01/04/05 20:10

NOTE: (Diligent Search, etc.)

Processing :	15.00
Mileage :	3.10
Trust/Copy :	0.00
MISC. :	0.00
TOTAL :	18.10

PAUL D. WELCH, SHERIFF

MADISON

County, IOWA

PAID

JAN 11 2005

BY

Signature

CHARLES W HENDRICKS

JAMES M. ASCIONE, DEPUTY

Title

Fees charged to/paid by Atty/Party

*** RETURN OF SERVICE ***

IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME: Diligent Search

PODOLL, ROD AND
PODOLL, LOIS, ASSIGNED TO
FIRST NATIONAL ACCEPTAN

VS

SCHEURMANN, JOHN
SCHEURMANN, DAWN AND/C
OCCUPANT(S)

CASE NO: 04NOTICE014

NOTICE RECEIVED: 12/28/04

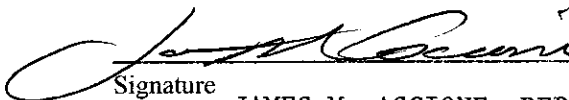
STATE OF IOWA

MADISON COUNTY

I certify that I ~~served~~^{Attempted to} a copy of: NOTICE OF FORFEITURE OF REAL☐ Petition and Original Notice☐ Order Filed _____☐ Modification/Application and Notice☐ Writ _____☐ Order to Show Cause☐ Other _____Attempted
~~Served~~ SCHEURMANN, DAWN
XXXXXat 215 S 5TH ST
WINTERSET, IA 50273

on 01/04/05 20:10

NOTE: (Diligent Search, etc.)

JOHN SCHEURMANN HAS NOT SEEN DAWN SCHEURMANN FOR 5 YEARS AND
DOES NOT KNOW WHERE SHE LIVESProcessing : 0.00
Mileage : 0.00
Trust/Copy : 0.00
MISC. : 0.00
TOTAL : 0.00PAUL D. WELCH, SHERIFF
MADISON County, IOWA

Signature

JAMES M. ASCIONE, DEPUTY

Title

~~Fees charged to pay by any Party XXXX CHARLES W. HENDRICKS XXXX~~

NO FEES DUE THIS ATTEMPTED SERVICE