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FILED NO. \_\_\_\_\_

BOOK 2001 PAGE 1599

(PAGE 1599)

2001 APR 23 PM 12:02

12:02pm

MICKI UTSLER

RECORDER

MADISON COUNTY, IOWA

REC \$ 25<sup>00</sup>  
AUD \$ \_\_\_\_\_  
R.M.F. \$ 1<sup>00</sup>

COMPUTER   
RECORDED   
COMPARED

Preparer Information Davis Law Firm, 666 Walnut Street, Suite 2500, Des Moines, IA 50309, (515) 246-7944

Individual's Name

Street Address

City

Phone

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 MADISON

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 cancelled and is of no force and effect whatsoever.

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 23rd day of April, 2001.

Karen E. Corning  
Karen E. Corning

Affiant

Dorinda Freed

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

Preparer

Information Karen Corning, P.O. Box 713, Indianola, IA 50125 515-961-5188

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SPACE ABOVE THIS LINE  
FOR RECORDER

**NOTICE OF FORFEITURE  
OF REAL ESTATE CONTRACT**

TO: Streamline Property Renovators, LLC, an Iowa Limited Liability Company,  
2938 SW Ridgeview Lane  
Ankeny, IA 50021

You and each of you are hereby notified:

(1) The written contract filed December 30, 1999, and Modification of Real Estate Contract filed March 20, 2000, executed by Gerald A. Hutchison and Darcy A. Hutchison, husband and wife, and Randall R. Corning and Karen E. Corning, husband and wife, as Vendors, and Streamline Property Renovators, LLC, an Iowa Limited Liability Company, as Vendees, for the sale of the following described real estate located in Madison County, Iowa:

Parcel "H" located in that part of a tract of land described in Court Officer Deed recorded in Book 62, Page 206, Madison County, Iowa, Recorder's Office, located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-four (24), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., City of St. Charles, Madison County, Iowa, containing 5.0 acres, as shown in Plat of Survey filed in Book 3, Page 523 on December 17, 1999 in the Office of the Recorder of Madison County, Iowa

EXCEPT:

Parcel "M" located in that part of Parcel H, recorded in Book 3, Pages 523 and 524, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-four (24), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., City of St. Charles, Madison County, Iowa, containing 0.5135 acres, as shown in Plat of Survey filed in Book 2, Page 438 on March 9, 2000 in the Office of the Recorder of Madison County, Iowa

AND SUBJECT TO:

Subject to an access easement for ingress and egress over and across the west 20 feet of the south 230.67 feet of the above described Parcel M and as shown on the Plat of Survey for said Parcels "H" and "M".

has not been complied with in the following particulars:

(a) Failed to pay contract balance which was due December 15, 2000	18,407.63
(b) Failed to pay interest on said contract from November 15, 2000 at the rate of 8% per annum to March 16, 2001 (121 days) (interest accrues after said date at the rate of \$4.04 per diem)	488.84
	Total 18,896.47

(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.

Gerald A. Hutchison  
Darcy A. Hutchison  
Randall R. Corning  
Karen E. Corning  
Vendor(s) (or Successors in Interest)

By Karen Corning  
Karen Corning  
Address: P.O. Box 713  
Indianola, IA 50125

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.

KAREN E. CORNING  
 STATE BAR #  
 P.O. BOX 713  
 INDIANOLA, IA 50125  
 (515)246-7944  
 ATTORNEY FOR THE PRO PER

MARICOPA COUNTY, STATE OF ARIZONA

	)	
	)	
TO: STREAMLINE PROPERTY RENOVATORS,	)	
LLC, AN IOWA LIMITED LIABILITY	)	NO.
COMPANY,	)	
	)	
	)	SERVICE OF PROCESS BY
vs	)	PRIVATE PERSON
	)	
	)	ASSIGNED TO THE HONORABLE
	)	JUDGE:
	)	
	)	
	)	
	)	
	)	

STATE OF ARIZONA ) ss.  
 County of Maricopa )

The undersigned, being first duly sworn, states:

1. That I am fully qualified, pursuant to RCP 4(d), to serve process in this cause:
2. That on 03/19/2001 I received the following documents:
  - a)
  - b)
  - c)
  - d)
  - e)
  - f)
  - g) NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT
  - h)
  - i)
  - j)
  - k)
  - l)

Track Down, Inc.	Client	No: 1030690
PO Box 56846	Track Down No: 1030690	
Phoenix, Az. 85079-6846		
(602) 252-8521		

3. That the person served does not have any military obligations, except as noted below.
4. That if this is an affidavit of posting of a trustee's sale, a due and diligent effort to ascertain whether or not trustors are affiliated with the military service was done, and no one could be found at the posting location who had knowledge of the trustors except as noted below.
5. That I personally served copies of the above documents, on the person at the time, place and manner as follows:

UPON STEAMLINE PROPERTY RENOVATORS, LLC, BY SERVING ONE TRUE COPY UPON RONALD D. MARLIN, MEMBER, 5834 NORTH 35TH AVENUE, PHOENIX, MARICOPA COUNTY, ARIZONA, 85017, AT THE HOUR OF 7:40 A.M., 23 MARCH 2001.

RACE: CAUCASIAN    SEX: MALE    AGE: 30    HGT: 5'10"    WGT: 180

1 Document(s)		
served @ \$10.00	\$	10.00
0 W/G(s)		
served @ \$25.00	0.00	
0 Sales Notices		
posted @ \$7.50	0.00	
10 Miles @ 1.50	15.00	
Min. Miles Total	0.00	
Notary & Prep. Fee	5.00	
Witness Fee	0.00	
Filing Fee	0.00	
Additional Cost	0.00	
	0.00	
	0.00	
TOTAL	\$	30.00

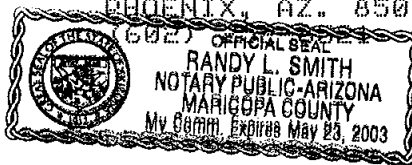
*[Handwritten Signature]*

Richard E. Romero 5059  
Registered in Maricopa County  
Subscribed and Sworn to before me on  
Friday the 23rd Day of March, 2001.

*[Handwritten Signature]*

Randy L. Smith, Notary Public  
My Commission Expires: 05/23/2003

TRACK DOWN, INC.  
PO BOX 56846  
PHOENIX, AZ. 85079-6846



1030690