

REC \$ 15<sup>00</sup>  
AUD \$ 5<sup>00</sup>  
R.M.F. \$ 1<sup>00</sup>

FOR THE EFFECT OF THE USE OF THIS FORM  
CONSULT YOUR LAWYER

CC FILED NO. 001078

BOOK 2002 PAGE 1078

2002 MAR -6 PM 12:17

NICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

COMPUTER   
RECORDED   
COMPARED

When recorded return to:  
The Wolford Corporation  
4214 Fleur Dr. Suite 1  
Des Moines, Iowa 50321

Preparer Information Rod Wolford 4214 Fleur Dr Suite 1 Des Moines IA. 50321 (515)285-7405  
Individual Name Address City Phone

Address Tax Statements: The Wolford Group, 4214 Fleur Dr Suite 1, Des Moines, IA 50321

## AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IN MAY CONCERN:

STATE OF IOWA )  
 )ss:  
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. Lots Three (3) and Four (4) in Block Two (2) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa

Locally known as 124 W. Summit, Winterset, Iowa 50273 BK2001PG489

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 vendee or anyone; that vendor(s) has (have) retaken possession of said real estate following the expiration of said 30 day period.

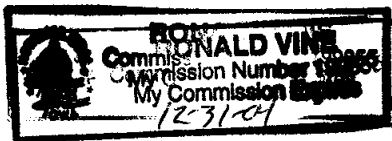
That the Real Estate Contract mentioned in said Notice specifically provides for the forfeiture of the vendee's (s') rights in such contract in accordance with Code Chapter 656.

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.

Scott M. Carfrae  
Scott M. Carfrae as Manager Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 14th day of February, 2002.



Ronald Vine  
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 of 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 \_\_\_\_\_, 2002, 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

### RECORDER'S CERTIFICATE

STATE OF IOWA, COUNTY OF Madison

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit together with Notice and returns thereto attached was filed in the said Recorder's Office by the party or parties causing said Notice to be served as shown by the Notice, on the 16<sup>th</sup> day of March, 2002.

Nicki Utsler  
Recorder  
by Paige M. Henous  
Deputy

When recorded return to:  
Wolford Corporation  
4214 Fleur Drive Suite 1  
Des Moines, IA 50321

FOR THE LEGAL EFFECT OF THE USE OF  
THIS FORM, CONSULT YOUR LAWYER

Prepared By: Rod Wolfrod 4214 Fleur Dr. Suite 1 Des Moines, Iowa, 50321 (515) 285-7405

SPACE ABOVE THIS LINE  
FOR RECORDER

**NOTICE OF FORFEITURE  
OF REAL ESTATE CONTRACT**

TO: James and Barbra Rinkert and Occupants

124 Summit

Winterset, Iowa 50273

You and each of you are hereby notified:

(1) The written contract dated January 13th, 2000, and executed by

The Wolford Corporation

as Vendors, and

James and Barbra Rinkert

as Vendees, for the sale of the following described real estate:

Lots Three (3) and Four (4) in Block Two (2) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa

Locally known as 124 W. Summit, Winterset, Iowa 50273

has not been complied with in the following particulars:

(a) Amounts owed October 2000	<u>\$80.72</u>
(b) December 2000 payment	<u>\$470.00</u>
(c) January 2001 payment	<u>\$470.00</u>
(d) February 2001 payment	<u>\$470.00</u>

02-20-01

**Total**

**\$1490.72**

(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.

The Wolford Corporation

Vendors

(or Successors in Interest)

By:

Scott M. Carfrae  
Scott M Carfrae as Manager

Address: 4214 Fleur Drive Suite 1

Des Moines, Iowa 50321

(515)285-7405

**ACKNOWLEDGMENT OF SERVICE**

The undersigned hereby acknowledge due, timely and legal service of this notice, and acknowledge receipt of a copy at the time and place set opposite their respective names.

Date of Service	Place of Service
_____	_____
_____	_____
_____	_____

**MEMO AND AFFIDAVIT OF SERVICE**

**NOTICE OF FORFEITURE – Barbara and James Rinkert and Occupant(s)**  
STATE OF IOWA

SS.

County of Madison

The undersigned, first being duly sworn, upon oath deposes and states that \_\_\_\_\_ he served the notice on the obverse side hereof on each of the persons to whom said notice is addressed, and named below, by delivering a copy of said notice to each of said persons at the time and place set opposite their respective names, to-wit:

Name	Month	Day	Year	City, Town, or Township	State
James Rinkert At 124 W. Summit	2	27	01	Winterset	Iowa

*Hans Jacobson*  
Hans Jacobson (Process Server)

Subscribed in my presence and sworn to before me by said affiant this 27th day of February, 2001.

*Scott M. Carfrae*  
Notary Public in and for said County and State

