

000914

FILED NO. _____

BOOK 2003 PAGE 914

2003 FEB 20 AM 11: 8
AM 11:48

REC \$ 45⁰⁰
AUD \$ 10⁰⁰
R.M.F. \$ 1⁰⁰

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input type="checkbox"/>

NICKI UTSLER
RECORDER
POLK COUNTY, IOWA

Preparer Information

Tom W. George, 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266, (515) 327-1750

Individual's Name

Street Address

City

Phone



AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

SPACE ABOVE THIS LINE
FOR RECORDER

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.

- Contract between Sereg and Gordons recorded in Book 59 at Page 766.
Assignment from Gordon to R & S Investments, LLC, recorded in Book 64 at Page 324.

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.

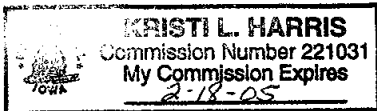
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled 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.

[Signature]

Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 30 day of January, 2003.

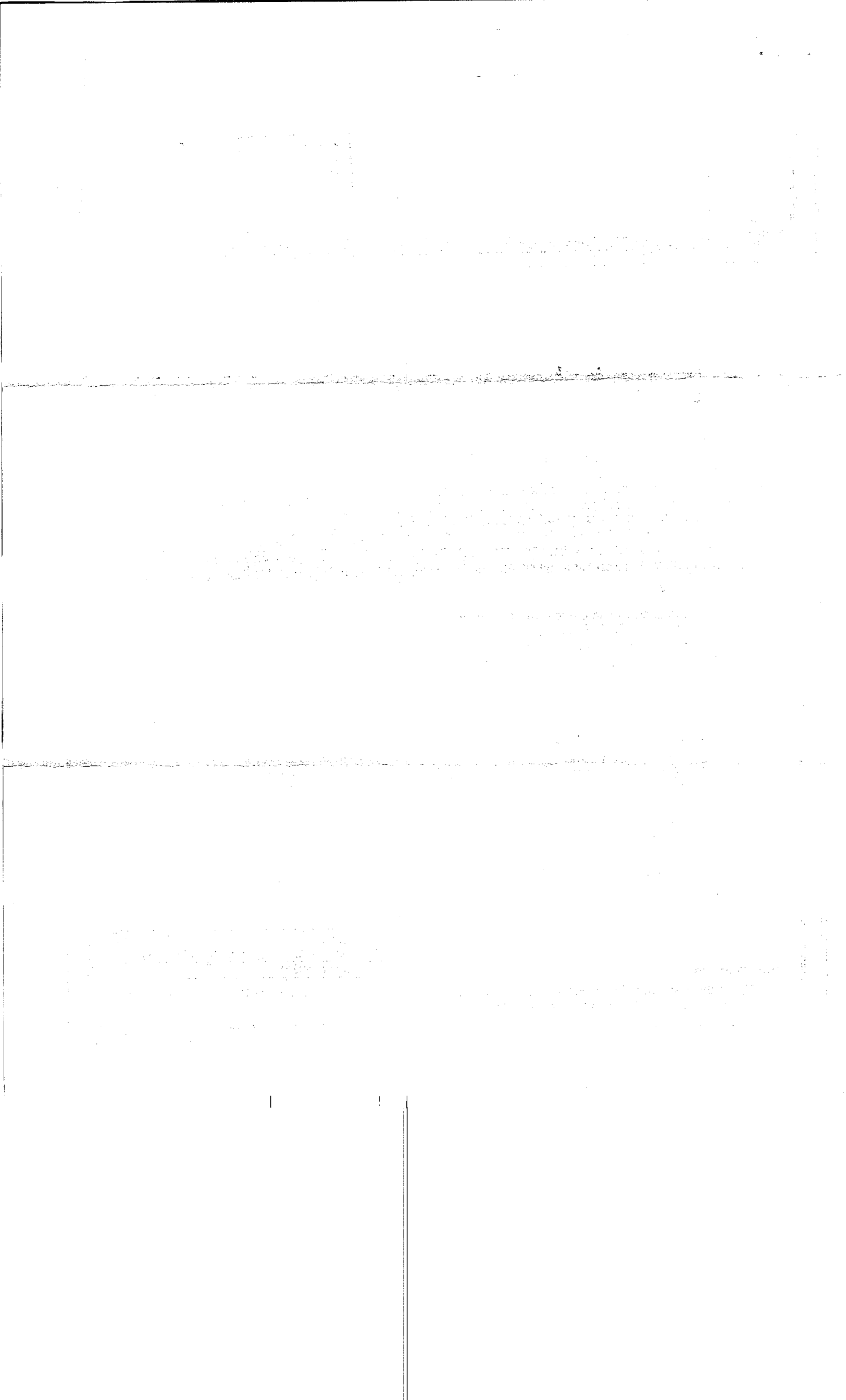


[Signature]

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 Tom W. George, 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266, (515) 327-1750
Individual's Name Street Address City Phone

SPACE ABOVE THIS LINE
FOR RECORDER



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO:
Norman L. and Charlotte Gordon, 139 S. 10th Avenue, Winterset, Iowa 50273
Shawn Carmichael, 829 Green Breeze Circle, Altoona, Iowa
Randy Rudolf, 767 43rd Avenue, Prole, Iowa

You and each of you are hereby notified:

(1) The written contract dated December 9, 1994, and executed by
James Robert Sereg and Josephine Frances Salazer Sereg
as Vendors, and
Norman L. and Charlotte Gordon, Shawn Carmichael and Randy Rudolf

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

Lot 2 except the North 110 feet of the East 15 feet thereof, and all of Lots 3 and 4 in Block 3 of Pitzer & Knight's Addition to the Original Town of Winterset, Madison County, Iowa; and Lot 1 and the North 110 feet of the East 15 feet of Lot 2 in Block 3 of Pitzer & Knight's Addition to the Original Town of Winterset, Madison County, Iowa Contract between Seregs and Gordons recorded in Book 59 at Page 766; and Assignment by Gordons to R & S Investments, LLC, recorded in Book 64 at Page 324.

has not been complied with in the following particulars:

(a) December 12, 2002 payment	5,000.00
(b) December escrow account payment	2,089.34
(c) Escrow deficiency, Sept., Oct., & Nov.	343.66
(d)	
Total	7,433.00

(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.

James Robert Sereg and Josephine Frances Salazer Sereg

Vendors
(or Successors in Interest)

By Their Attorney -

Address: 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266

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.

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

STATE OF IOWA

County of Polk } SS.

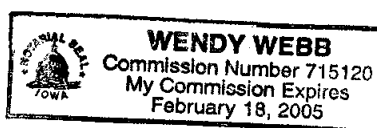
The undersigned, first being duly sworn, upon oath deposes and states that (he)(she) served the notice on the obverse side hereof on each of the persons to whom said notice is addressed, and named below, by delivering a copy of said notice to each of said persons at the time and place set opposite their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

Name	Month	Day	Year	City Town or Township	County	State
<u>Randy Rudolf</u>	<u>12</u>	<u>30</u>	<u>02</u>	<u>Des Moines</u>	<u>Polk</u>	<u>IA</u>

Scott Stotter

Subscribed in my presence and sworn to before me by said affiant this 30th day of December, 2002.

Wendy Webb
Notary Public in and for said County and State



Preparer Information Tom W. George, 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266, (515) 327-1750

Individual's Name

Street Address

City

Phone



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

SPACE ABOVE THIS LINE
FOR RECORDER

TO:

Norman L. and Charlotte Gordon, 139 S. 10th Avenue, Winterset, Iowa 50273

Shawn Carmichael, 829 Green Breeze Circle, Altoona, Iowa

Randy Rudolf, 767 43rd Avenue, Prole, Iowa

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James Robert Sereg and Josephine Frances Salazer Sereg

Vendors
(or Successors in Interest)

By 

Tom W. George

Their Attorney -

Address: 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266

Chapter 656, The Code

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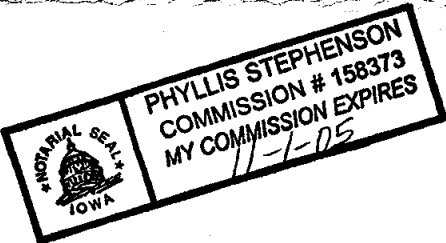
Name	Month	Day	Year	City Town or Township	County	State
<i>Shawn Carmichael</i> <i>by wife</i>	<i>12</i>	<i>19</i>	<i>02</i>	<i>Altoona</i>	<i>Polk</i>	<i>IA</i>

Jeanne Allen

Subscribed in my presence and sworn to before me by said affiant this 30 day of Dec, 2002


Phyllis Stephenson

Notary Public in and for said County and State



RECEIVED
MADISON CO. SHERIFF
WINTERSSET, IOWA

DEC 28 2002

8:57 AM/PM
BY 

Preparer Information Tom W. George, 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266, (515) 327-1750
Individual's Name Street Address City Phone



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

SPACE ABOVE THIS LINE
FOR RECORDER

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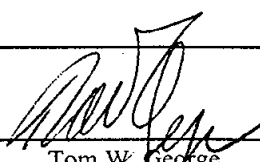
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Vendors
(or Successors in Interest)

By  Tom W. George Their Attorney -

Address: 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266

Chapter 656, The Code

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STATE OF IOWA

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Name	Month	Day	Year	City Town or Township	County	State

Subscribed in my presence and sworn to before me by said affiant this _____ day of _____, _____.

Notary Public in and for said County and State

*** RETURN OF SERVICE ***

IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME: Personal

SEREG,JOHN ROBERT AND
SEREG,JOSEPHINE FRANCES

VS

GORDON,NORMAN L AND
GORDON,CHARLOTTE

CASE NO: 02NOTICE015

NOTICE RECEIVED: 12/23/02

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 GORDON,CHARLOTTE at 139 S 20TH AV on 12/26/02 20:54
WINTERSET, IA 50273

NOTE:(Diligent Search, etc.)

Processing : 0.00
 Mileage : 0.00
 Trust/Copy : 0.00
 MISC. : 0.00
 TOTAL : 0.00

PAID
JAN - 7 2002

PAUL D WELCH, SHERIFF
MADISON County, IOWA

Clayton Allen
Signature Title
CLAYTON ALLEN, DEPUTY

~~Fee charged to party by any party XXXXXX~~

SEE NORMAN L GORDON RETURN OF SERVICE FOR ALL FEES DUE MADISON COUNTY SHERIFF

The attached letter summarizes the findings of the review and acknowledges the assistance of the staff of the Division of Health Services.

Division of Health Services

State of California

Enclosed for the recipient are two copies of the report and a copy of the findings of the review. The report is being furnished to the recipient for their information and use.

The review was conducted in accordance with the provisions of the Health Services Act, Chapter 1000 of the Statutes of 1975, and the regulations thereunder. The review was conducted by a team of reviewers who were selected by the Division of Health Services. The reviewers conducted the review in accordance with the procedures set forth in the Health Services Act and the regulations thereunder. The findings of the review are set forth in the report.

Item	Quantity	Unit	Value	Total

The total value of the items reviewed is \$100,000.00. The total value of the items reviewed is \$100,000.00.

RECEIVED
MADISON CO. SHERIFF
WINTERSET, IOWA

DEC 23 2002

8:51 AM/PM
BY [Signature]

Preparer Information Tom W. George, 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266, (515) 327-1750
Individual's Name Street Address City Phone

SPACE ABOVE THIS LINE
FOR RECORDER



**NOTICE OF FORFEITURE
OF REAL ESTATE CONTRACT**

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James Robert Sereg and Josephine Frances Salazer Sereg

Vendors
(or Successors in Interest)

By [Signature] Their Attorney -

Address: 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266

Chapter 656, The Code

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_____	_____	_____

MEMO AND AFFIDAVIT OF SERVICE

STATE OF IOWA

County of _____ } SS.

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Name	Month	Day	Year	City Town or Township	County	State

Subscribed in my presence and sworn to before me by said affiant this _____ day of _____, _____.

Notary Public in and for said County and State

*** RETURN OF SERVICE ***

IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME: Substitute

SEREG,JOHN ROBERT AND
SEREG,JOSEPHINE FRANCES

VS

GORDON,NORMAN L AND
GORDON,CHARLOTTE

CASE NO: 02NOTICE015

NOTICE RECEIVED: 12/23/02

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 GORDON,NORMAN L AN by Serving GORDON,CHARLOTTE
at 139 S 10TH AV
WINTERSET, IA 50273
on 12/26/02 at 20:54

NOTE:(Diligent Search, etc.)

Processing : 26.00
 Mileage : 6.20
 Trust/Copy : 0.00
 MISC. : 0.00
 TOTAL : 32.20

PAID

JAN - 7 2002

BY *[Signature]*

PAUL D WELCH, SHERIFF
MADISON County, IOWA

[Signature] Signature Title

CLAYTON ALLEN, DEPUTY

Fees charged to/paid by Atty/Party: TOM W GEORGE

1552
12-12-94
6992
11-13-00

THE UNIVERSITY OF MICHIGAN LIBRARY

PLANNING SERVICE

STATE OF MICHIGAN

...

...

DATE	DESCRIPTION	AMOUNT	CHECK NO.	BANK	BALANCE

...

...

...