

000914 FILED NO. BOOK 2003 PAGE 914

8 2003 FEB 20 AMII: AM 11:48 MICKI UTSLER RECORDER

£001 Preparer Tom W. George, 3737 Westown Parkway, Suite 2D, West Des Moines, Iowa 50266, (515) 327-1750 City

Individual's Name

Street Address

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

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 recroded 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. Affiant Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant his 2003.

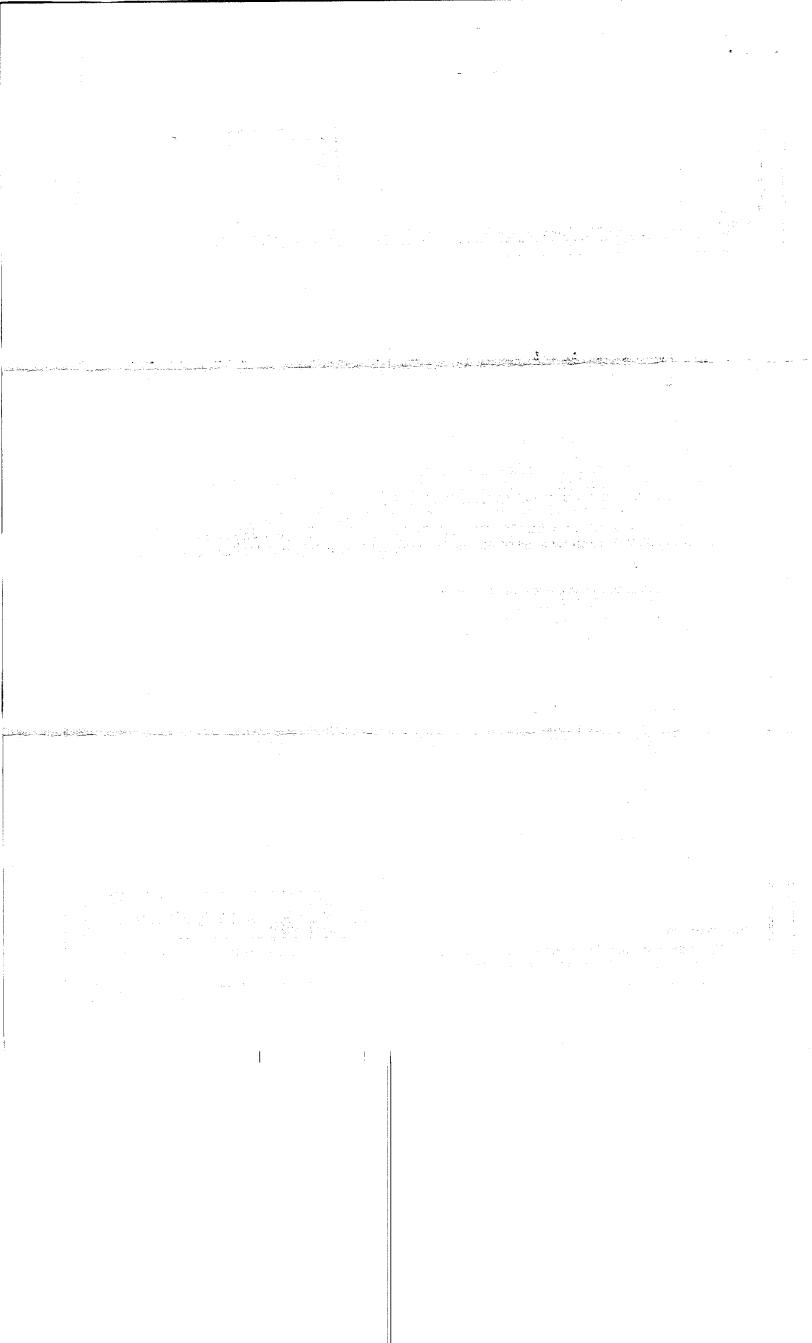


reste Notary Public in and for the State of Iowa.

<ul> <li>The space as indica</li> </ul>	ited above, is reserve	d to conveniently "tailor"	for special situations and to se	t forth facts to sustain i	notice by publication or fo
both of such purposes.	See Section 656.3;	R.C.P. 60, 60.1 and	62. Suggested: That Personal	Service could not an	d cannot be made upor
		and		in the S	State of lowa; that on the
day of mailing address, to-wit:		, a copy of said Notice	e was sent by ordinary mail add	ressed to said (party) (p	parties) at their last known
lowa Code Chapter 656	3				

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176 AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT Revised January, 1999



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

VICTOR CONTINUES
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 <u>December 9</u> , 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
Tromain B. and Charlotte Goldon, Shawn Carmichael and Raildy Rudon
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.
(d)
<b>Total</b> 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

lowa 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

(or Successors in Interest)

Their Attorney -

Vendors

Address:

wn Parkway, Suite 2D, West Des lewa 50266

Møines,

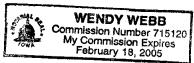
NOTE: If the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq., applies to this communication, attach Form No. 172, Notice of Validation of Debt.

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Chapter 656, The Code

175 NOTICE OF FORFEITURE Revised January, 1999

		Date	of Se	ervice	Place of Ser	vice
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Name Pandy Rudo It	Month 12	30 ·	Year 02	City Town or Township  Des Mojinas  Shath Sh	County	State IA
Name Andy Rudo It	Month 12	30 ·	Year 02	City Town or Township  Des Mojinas  Shath Sh	County	State
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Name Pandy Rudo I f	Month 12	30 ·	Year 02	City Town or Township  Des Mojnes  Statt Statt state id affiant this 30	County Palk  Stiese  day of Dece	State  JA  Mbss. 2002



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

SPACE ABOVE THIS LINE FOR RECORDER

OF R	REAL ESTATE CONTRAC	T	
TO:			
Norman L. and Charlotte Gordon, 139 S. 10th A	Avenue, Winterset, Iowa 50273		
Shawn Carmichael, 829 Green Breeze Circle, A			
Randy Rudolf, 767 43rd Avenue, Prole, Iowa			
You and each of you are hereby no			
(1) The written contract dated	December 9	<u>, 1994</u>	, and executed by
James Robert Sereg and Josephine Frances Sala	izer Sereg		
as Vendors, and Norman L. and Charlotte Gordon, Shawn Carm	nichael and Randy Rudolf		
as Vendees, for the sale of the following de Lot 2 except the North 110 feet of the East 15 i		Nock 3 of Pitz	er & Knight's
Addition to the Original Town of Winterset, M	ladison County Iowa: and Lot 1 and the	e North 110 fe	et of the East 15
feet of Lot 2 in Block 3 of Pitzer & Knight's A			
Contract between Seregs and Gordons reco	orded in Book 59 at Page 766; and	Assignment h	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., &	ż Nov.		343.66
(d)		T-4-1 —	7 100 00
	•	Total	7,433.00
(2) The contract shall stand forf	feited unless the parties in defac	ult within 3/	0 days after the
completed service of this notice, shall perf			
reasonable costs of serving this notice.	om the terms and contained in ac	addit, dild ill	
<del>-</del>	aimed by the Vendors pursuant to	Section 656.	5 N N N N N N N N N N N N N N N N N N N
	exceed \$50.00). Payment of the at		
comply with this notice in order to prevent for			•

James Robert Sereg and Josephine Frances Salazer Sereg

(or Successors in Interest)

Tom W. Ge

Address:

3737 Westown Parkway, Suite 2D, West Des Møines, lowa 50266

Their Attorney -

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.

The Iowa State Bar Association 2001 IOWADOCS®

175 NOTICE OF FORFEITURE Revised January, 1999

N		Date	e of S∈	ervice		Place of Ser	vice	
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			-					
المراجعة المعاصمة المعاصبين والمستعدد	МЕМО	AND A	FFID.A	VIT OF SERVI	CE			
Punty of	lk	}	SS.					
The undersigned, first be the obverse side hereof or elivering a copy of said notice.								otic
elivering a copy of said notion	ce to each o	f said po	ersons	s at the time an	d place se	et opposite	their respe	v, t ctiv
moning a copy of said field	ce to each o	f said po	ersons Year	City Town	d place se	et opposite	their respe	ctiv
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Name  Rawn Carmich  Ly wife	Month	Day	Year 0.2	City Town or Township	d place se	County Polk	their respe	ctiv
imes, to-wit:	Month	Day	Year 0.2	City Town or Township	d place se	County Polk	their respe	ctiv
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Mame  Name  Rawn Carmich  Ly wife	Month  Most /3	Day	Year 0.2	City Town or Township  Clibsona  id affiant this	d place se	County Polk	state	ective Pa

FECEIVED MADISON CO. SHERIFF MINTERSET, IOWA

DEC 28 2002 8:57 AND PM

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

UF REAL	ESTATE CONTRAC	<b>/</b>
ocia.		
TO:		
Norman L. and Charlotte Gordon: 139 S. 10th Avenue	Winterset, Iowa 50273	را دادا از از شده م <del>ی مسعد دار چار دار</del> دادار است. استخدید فارار ۱۳۵۶
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	, <u>1994</u> , and executed by
James Robert Sereg and Josephine Frances Salazer Ser	eg	,
as Vendors, and Norman L. and Charlotte Gordon, Shawn Carmichael a	and Randy Rudolf	
Tromain D. and Onarrotte Gordon, Bhawn Carmondon	ma Rundy Rudon	
as Vendees, for the sale of the following described	l real estate	,
Lot 2 except the North 110 feet of the East 15 feet the		Slock 3 of Pitzer & Knight's
Addition to the Original Town of Winterset, Madison		
feet of Lot 2 in Block 3 of Pitzer & Knight's Addition		
Contract between Seregs and Gordons recorded	in Book 59 at Page 766; and	
R & S Investments, LLC, recorded in Book 64 a	t Page 324.	•
has not been complied with in the following particular	ılars:	
(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)		<b>-</b>
		<b>Total</b> 7,433.00
(2) The contract shall stand forfeited	unlose the parties in defa	ult within 20 days often the
completed service of this notice, shall perform the		
reasonable costs of serving this notice.	c terms and conditions in de	addit, and in addition pay the
(3) The amount of attorney fees claimed	by the Vendors pursuant to	Section 656.7 of the Code of
		ttorney fees is not required to
comply with this notice in order to prevent forfeitur		
	Inches Data et Conservat Inch	white Francis C to G
	James Robert Sereg and Jose	pnine Frances Salazer Sereg
	011	Vendors
	///n1/(\)	(or Successors in Interest)
	By ////// 4/1/	
	Tom W. George	Their Attorney -
	Address: 3737 West wn P	arkway, Suite 2D, West Des
Cnapter 656, The Code	Møines, Jowa 50	266
NOTE: If the Fair Debt Collection Practices Act,		applies to this communication,
attach Form No. 172, Notice of Validation of Debt.		

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175 NOTICE OF FORFEITURE Revised January, 1999

Marie Ca

		Date of Service			service of this notice, and acknowled names.  Place of Service		
		1					
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ATE OF IOWA			چاندىن چاندىن	المحالف المحالف المحالفة المحا		الله الله الله الله الله الله الله الله	
ounty of		}	SS.				
The undersigned, first being on the obverse side hereof on each	duly are	— <i>J</i>	am ==41	at.			
the obverse side hereof on each livering a copy of said notice to mes, to-wit:	each o	f said p	ersons	at the time and p	place set opposite their	respecti	
Name	Month	Day	Year	City Town or Township	County	State	
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	rn to be	fore me			_day of		

#### \*\*\* RETURN OF SERVICE \*\*\*

#### IN THE IOWA DISTRICT COURT FOR

MADISON COUNTY

CASE NAME:	Personnal
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	Order Filed
Modification/Application and Notice	Writ
Order to Show Cause	Other
Served GORDON,CHARLOTTE	at 139 S <b>2</b> 0TH AV on 12/26/02 20:54 WINTERSET, IA 50273
NOTE:(Diligent Search, etc.)	The Control of the Co
and the second of the second o	uli travala em l'appresiona e la casa de trattat. L'inclusión de e Contralia de la mentiona de la casa de l'appresiona.
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SEE NORMAN L GORDON RETURN OF SERVICE FOR ALL FEES DUE MADISON COUNTY SHERIFF

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MADISON CO. SHERIFF
WINTERSET, IOWA

DEC 23 2002

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

attach Form No. 172, Notice of Validation of Debt.

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Phone SPACE ABOVE THIS LINE FOR RECORDER

175 NOTICE OF FORFEITURE Revised January, 1999



## NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

-cik.				
TO:				
Norman Leand Charlotte Gordon, 139 S. 10th Avenue	Wintercet	Iowa-50273		
Shawn Carmichael, 829 Green Breeze Circle, Altoona,	Iowa	10Wa 30273		
Randy Rudolf, 767 43rd Avenue, Prole, Iowa				· · · · · · · · · · · · · · · · · · ·
You and each of you are hereby notified:				
(1) The written contract dated	Decem	ber 9	1994	_, and executed by
James Robert Sereg and Josephine Frances Salazer Ser	eg			_ , and oxocated by
as Vendors, and				
Norman L. and Charlotte Gordon, Shawn Carmichael a	and Randy R	udolf		
as Vendees, for the sale of the following described	l real estate	<b>):</b>		•
Lot 2 except the North 110 feet of the East 15 feet then	reof, and all	of Lots 3 and 4 in	Block 3 of Pi	itzer & Knight's
Addition to the Original Town of Winterset, Madison	County, low	a; and Lot I and t	he North 110	feet of the East 15
feet of Lot 2 in Block 3 of Pitzer & Knight's Addition	to the Origin	iai I own of Winte	erset, Madisor	County, Iowa
Contract between Seregs and Gordons recorded R & S Investments, LLC, recorded in Book 64 a	t Page 324	at Page 700; a	na Assignmer	it by Gordons to
has not been complied with in the following particular	ilars	• • • • • • • • • • • • • • • • • • •	*	e e e e e e e e e e e e e e e e e e e
(a) December 12, 2002 payment	nais.			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 to completed service of this notice, shall perform the reasonable costs of serving this notice.  (3) The amount of attorney fees claimed lowa is \$50.00 (not to exceed comply with this notice in order to prevent forfeiture)	by the Ven	d conditions in o	lefault, and in Section 65	n addition pay the
	James Roi	pert Sereg and Jos	ephine France	es Salazer Sereg
		1		
	By//	Me Var		Vendors (or Successors in Interest)
	·	Tom W. George		Their Attorney -
	Address:	3737 West wn 1	Parkway, Suit	e 2D, West Des
Chapter 656, The Code		Møines, løwa 5	0266	
NOTE: If the Fair Debt Collection Practices Act,	15 U.S.C.	§§ 1692 et seq.	, applies to t	this communication.

MEMO AND AFFIDAVIT OF SERVICE  STATE OF IOWA  County of	erved the notic
The undersigned, first being duly sworn, upon oath deposes and states that (he)(she) on the obverse side hereof on each of the persons to whom said notice is addressed, and redelivering a copy of said notice to each of said persons at the time and place set opposite names, to-wit:    Name	amed below, their respective
TATE OF IOWA  ounty of	amed below, their respective
County of	amed below, their respective
The undersigned, first being duly sworn, upon oath deposes and states that (he)(she) son the obverse side hereof on each of the persons to whom said notice is addressed, and redelivering a copy of said notice to each of said persons at the time and place set opposite names, to-wit:    Name	amed below, their respective
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ubscribed in my presence and sworn to before me by said affiant this day of	State
	The second second
Notary Public in and for said C	•
	ounty and Stat
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## \*\*\* 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	Order Filed
Modification/Application and Notice	
Order to Show Cause	Other
Served GORDON, NORMAN LAN by Se	erving GORDON,CHARLOTTE
	at 139 S 10TH AV
	WINTERSET, IA 50273
	on 12/26/02 at 20:54
NOTE:(Diligent Search, etc.)	
To The state of th	
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Processing: 26.00 PAID Mileage: 6.20	PAUL D WELCH, SHERIFF
Mileage: 6.20	MADISON County, IOW
Mileage: 6.20  Trust/Copy: 0.00  MISC: 0.00	
Wilse 0.00 pm Mil	MANIMIN News
TOTAL: 32.20 BY	Signature
Fees x have set to x paidby Atty/Party: TOM V	CLAYTON ALLEN, DEPUTY W GEORGE

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