

001495

FILED NO.

BOOK 2003 PAGE 1495

(PAGE 1495)

2003 MAR 18 AM 11:11

REC \$15⁰⁰
AUD \$ 5⁰⁰
R.M.F. \$ 1⁰⁰COMPUTER ☒
RECORDED ☒
COMPARED ☐cc
ccHICKLUTSLER
RECORDER

MADISON COUNTY, IOWA

Mail tax statement to:
FNAC
P.O. Box 4010
East Lansing, MI 48826Preparer
Information

Shane P. O'Toole, 4201 Westown Parkway, Suite 250, West Des Moines, Iowa 50266-6720, (515) 283-1801

Individual's Name

Street Address

City

Phone

AFFIDAVIT IN SUPPORT OF FORFEITURE
OF REAL ESTATE CONTRACTSPACE 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.

- Original contract filed in Deed Record 61, Page 272.

Property vacant

Notice of Forfeiture mailed to James Rinkert and Barbra Rinkert at last known address.

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

Shane P. O'Toole

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 18th day of February, 2003.JENNIFER VAN BOENING
COMMISSION NO. 221908
MY COMMISSION EXPIRES
APRIL 12, 2005

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 Shane Patrick O'Toole, 801 Grand Avenue, Suite 3100, Des Moines, Iowa 50309, (515) 283-1801

Individual's Name

Street Address

City

Phone

NOTICE OF FORFEITURE
OF REAL ESTATE CONTRACTSPACE ABOVE THIS LINE
FOR RECORDERJames Rinkert and Barbra Rinkert and Occupant(s)
124 West Summit
Winterset, Iowa 50273

You and each of you are hereby notified:

(1) The written contract dated August 13, 1996, and executed by

The Wolford Corporation, as Vendors, and assigned by Quit Claim Deed to First National Acceptance Company, Book 61, Page 274

as Vendors, and

Bruce E. White and Stacie L. White, as Vendees, assigned to The Wolford Corporation at Book 61, Page 329, assigned to James Rinkert and Barbra Rinkert pursuant to Memorandum filed in Book 2001 at Page 489

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

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

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



has not been complied with in the following particulars:

(a) Delinquent payments due: 9/13/01; 10/13/01; 11/13/01

1,056.24

(b)

(c)

(d)

Total

1,056.24

(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

By

Shane Patrick O'Toole

Their Attorney -

Address: 801 Grand Avenue, Suite 3100, Des Moines, IA
50309-8036

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.

AFFIDAVIT OF PUBLICATION

STATE OF IOWA
SS.
Madison County

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 13th day of February, 2002.

Ted Gorman
Subscribed and sworn to before me this
13th day of February, 2002

Raye Delynn Cook
NOTARY PUBLIC
In and for Madison County

Fee \$ 49.13



**NOTICE OF FORFEITURE OF
REAL ESTATE CONTRACT**

TO:
James Rinkert and Barbra Rinkert and Occupant (s)
124 West Summit
Winterset, IA 50273

You and each of you are hereby notified:
(1) The written contract dated August 13, 1996, and executed by The Wolford Corporation,
as Vendors, and assigned by Quit Claim Deed to First National Acceptance Company, Book
61, Page 274, as Vendors, and Bruce E. White and Stacie L. White, as Vendees, assigned to
The Wolford Corporation at Book 61, Page 329, assigned to James Rinkert and Barbra Rinkert
pursuant to Memorandum filed in Book 2001 at Page 489, as Vendees, for the sale of the fol-
lowing described real estate:

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

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

has not been complied with in the following particulars:

(a) Delinquent payments due: 9/13/01; 10/13/01; 11/13/01
Total 1,056.24

(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 addi-
tion 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 Shane Patrick O'Toole
Address: 801 Grand Ave. Suite 3100
Des Moines, IA 50309-8036

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. 37-39c