

REC \$ 25<sup>00</sup> COMPUTER   
 AUD \$ 5<sup>00</sup> RECORDED   
 S.F.E. \$ 1<sup>00</sup> COMPARED

FILED NO. 1109  
 BOOK 62 PAGE 680  
 98 SEP -3 PM 1:55

**AFFIDAVIT IN SUPPORT OF NON-JUDICIAL FORECLOSURE OF NON-AGRICULTURAL MORTGAGE**

MICHELLE UTSLET  
 RECORDER  
 MADISON COUNTY, IOWA

STATE OF IOWA )  
 ) ss:  
 COUNTY OF LINN )

I, John M. Heckel, upon being duly sworn, do hereby depose and state as follows:

1. That I caused to be served on Gary A. Howell and Linda D. Howell, the record title holder of the following described property:

Lot 5 in Block 34 of the Original Town of Winterset, Madison County, Iowa  
 Also known as : 7501 Camden Lane, #243, Urbandale, Iowa

a Notice of Non-Judicial Foreclosure of Non-Agricultural Mortgage. Said Notice and Affidavit of Service on Gary A. Howell and Linda D. Howell is attached hereto and incorporated as is set out in full.

2. Gary A. Howell and Linda D. Howell have failed to cure the default listed in the Notice of Non-Judicial Foreclosure of Non-Agricultural Mortgage. Gary A. Howell and Linda D. Howell have failed to file with the County Recorder of Madison County and/or serve on TransAmerica Credit Corporation a Notice of Rejection of the Notice of Non-Judicial Foreclosure of Non-Agricultural Mortgage.

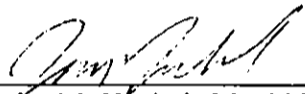
3. Pursuant to this Affidavit and the Notice served on the Defendants, TransAmerica Credit Corporation does hereby declare the mortgage to be foreclosed.



All liens inferior to the lien of the mortgage are extinguished and all indebtedness of the mortgage is extinguished.

4. The property herein is a non-agricultural property and is not used as property for an agricultural purpose as defined in Section 535.13.

Further, Affiant sayeth not.

  
\_\_\_\_\_  
John M. Heckel (LI 1008309)  
229 Northland Court NE, Suite B  
Cedar Rapids, Iowa 52402  
(319) 373-1989

SUBSCRIBED AND SWORN to before me by the said John M. Heckel on the  
1<sup>st</sup> day of September, 1998.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF IOWA  
Commission expires 5-15-01

RETURN OF SERVICE

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

Case Name: TRANSAMERICA CR. CORP. VS HOWELL, GARY & LINDA D.

Case No. 002797 SUBSTITUTE

Notice Rec'd this date: 7/23/97

STATE OF IOWA

POLK County } ss.

I certify that I served a copy of: NOTICE OF NONJUDICIAL FORECLOSURE

Served: at on / / :
/ / :
/ / :

HOWELL, GARY & LINDA by serving BEVERLY WILLIAMS, GARY'S MOTHER at
7501 CAMDEN LN\* URBANDALE on 7/24/97, 10:05 AM,
\*#243

by serving (Name) it's (Title) on / /
: at

NOTE: (Diligent Search/Remarks)
RETURNED TO ATTY REFUND 30.66

BOB E. RICE, Sheriff
POLK County, Iowa
GERRY BRANDOW

FEES:

Processing: \$15.00
Mileage : \$4.34
Copy : \$0.00
Notary : \$0.00
Misc. : \$0.00
TOTAL : \$19.34

PAID
JUL 25 1997
By Plaintiff's Attorney
POLK COUNTY SHERIFF

Fees charged to/paid by ATTY

NOTICE OF NON-JUDICIAL FORECLOSURE OF  
NON-AGRICULTURAL MORTGAGE

TO: GARY A. HOWELL AND LINDA D. HOWELL

YOU ARE HEREBY NOTIFIED that TransAmerica Credit Corporation k/n/a TransAmerica Home Mortgage does hereby elect to foreclose its mortgage dated June 30, 1995 and filed July 5, 1995 in mortgage record 177, Page 311 of the office of the Madison County Recorder with respect to the following described property:

Lot 5 in Block 34 of the Original Town of Winterset, Madison County, Iowa

Also known as: 321 W. South St., Winterset, Iowa 50322


1. The terms of the mortgage which you have not complied with include the failure to pay the mortgage through November 1996 by tendering to TransAmerica Credit Corporation k/n/a TransAmerica Home Mortgage. the amount of payments of \$664.42 each for a total of \$5,979.78.

2. Within 30 days of the service of this Notice upon you, the mortgagor, must cure the default or file with the Recorder of Madison County, Iowa a rejection of this Notice pursuant to 655A.6 and serve a copy of said rejection upon the mortgagee, TransAmerica Credit Corporation n/k/a TransAmerica Home Mortgage. Failure to do so will result in the mortgage being foreclosed with no deficiency being assessed against any party.

WITHIN THIRTY DAYS AFTER YOUR RECEIPT OF THIS NOTICE, YOU MUST EITHER CURE THE DEFAULTS DESCRIBED IN THIS NOTICE OR FILE WITH THE RECORDER OF THE COUNTY WHERE THE MORTGAGED PROPERTY IS LOCATED A REJECTION OF THIS NOTICE AND SERVE A COPY

OF YOUR REJECTION ON THE MORTGAGEE IN THE MANNER PROVIDED BY THE RULES OF CIVIL PROCEDURE FOR SERVICE OF ORIGINAL NOTICES, IF YOU WISH TO REJECT THIS NOTICE, YOU SHOULD CONSULT AN ATTORNEY AS TO THE PROPER MANNER TO MAKE THE REJECTION. IF YOU DO NOT TAKE EITHER OF THE ACTIONS DESCRIBED ABOVE WITHIN THE THIRTY DAY PERIOD, THE FORECLOSURE WILL BE COMPLETE AND YOU WILL LOSE TITLE TO THE MORTGAGED PROPERTY. AFTER THE FORECLOSURE IS COMPLETE THE DEBT SECURED BY THE MORTGAGED PROPERTY WILL BE EXTINGUISHED.

TRANSAMERICA CREDIT CORPORATION n/k/a  
TRANSAMERICA HOME MORTGAGE

By   
John M. Heckel  
229 Northland Court N.E., Suite B  
Cedar Rapids, Iowa 52402  
(319) 373-1989

ATTORNEY FOR TRANSAMERICA CREDIT CORPORATION  
n/k/a TRANSAMERICA HOME MORTGAGE