

REC'D 20⁰⁰
AUDS
R.M.F.S. 1⁰⁰

✓ AFTER RECORDING RETURN TO:
Gary R. Hassel
974 73rd, #20
Des Moines, IA 50312
515/223-1335

COMPUTER ✓
RECORDED ✓
COMPARED ✓

2120
FILED NO. _____
BOOK 45 PAGE 397
98 NOV 23 AM 11:05
MERRILLE UTSLER
RECORDER
MADISON COUNTY, IOWA

NOTICE OF CLAIM OF HOMESTEAD AND DEMAND FOR EXECUTION

TO: JORDAN, OLIVER & WALTERS, P.C.

YOU AND EACH OF YOU ARE HEREBY NOTIFIED THAT Merrill and Christine Hitchcock claim exempt from execution under the Homestead Exemption granted under the provisions of Chapter 561 of the Code of Iowa, the following described real estate, to-wit:

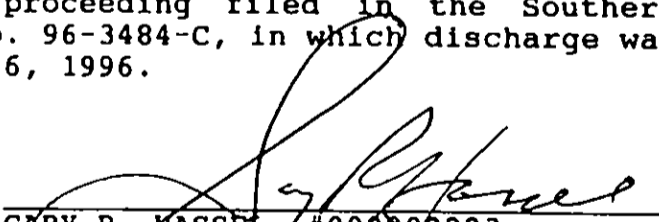
Lots 1, 2, 3 and 4 except the S 100' of Lot 1 and except the E 20' of the S 100' of Lot 2, Block 11, in the Loughridge and Cassidy's Addition to the Town of Winterset, all in the SW 1/4 of Section 31, Township 76 North, Range 27, West of the 5th P.M., in Madison County, Iowa.

YOU ARE FURTHER NOTIFIED that your judgment lien and all benefits derived therefrom, as to the above described real estate claimed as a homestead, shall be forfeited unless the owner and holder of the judgment levies execution against this real estate within thirty (30) days after the completed service of this Notice.

The judgment which is the subject matter of this demand is described as:

Jordan, Oliver & Walters, P.C. vs Merrill Hitchcock, Case No. SC 8186, Iowa District Court for Madison County, judgment entered June 3, 1996, in the amount of \$1,020.00 plus 10% interest and court costs.

The underlying obligation upon which this lien is based was discharged in a bankruptcy proceeding filed in the Southern District of Iowa under Case No. 96-3484-C, in which discharge was granted on or about November 26, 1996.


GARY R. HASSEL, #00002223
974 73rd Street, Suite 20
Des Moines, IA 50312
Telephone (515) 223-1335
ATTORNEY FOR HITCHCOCK

AFFIDAVIT IN SUPPORT OF LIEN FORFEITURE

STATE OF IOWA)
 COUNTY OF POLK) ss

TO WHOM IT MAY CONCERN:

The undersigned, being first duly sworn on oath, depose and state as follows:

1. The relationship of the undersigned to this transaction appears from the Notice of Claim of Homestead and Demand for Execution hereto attached, together with Returns of Service thereof, which Notice and Returns are by this reference made a part hereof as if fully set forth herein; that by reason of such relationship, the facts herein stated are within the personal knowledge of this affiant.

2. The parties served, as shown by said Returns, include all parties claiming judgment liens or encumbrances against the real estate described as:

Lots 1, 2, 3 and 4 except the S 100' of Lot 1 and except the E 20' of the S 100' of Lot 2, Block 11, in the Loughridge and Cassiday's Addition to the Town of Winterset, all in the SW 1/4 of Section 31, Township 76 North, Range 27, West of the 5th P.M., in Madison County, Iowa.

3. As shown by such Returns, more than thirty (30) days have passed since the service of said Notices.

4. That none of the parties served with such Notices have filed a Demand for Execution, and that in accordance with the provisions of Section 624.23(2) of the Iowa Code, each of the judgment liens described in the attached notices are now deemed forfeited as to the real estate described above.

5. That none of the parties upon whom such Notice of Claim of Homestead and Demand for Execution was served upon was at the time of the service of said Notice upon them, or at the time of the making of 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 of the rights under the Soldiers' and Sailors' Civil Relief Act or similar act or acts amendatory thereof or supplementary thereto.

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6. This Affidavit is made as supporting proof for record and notice that the judgment liens referred to in said Notices of Claim of Homestead and Demand for Execution are now fully void, stand forfeited and cancelled, and of no force and effect whatsoever as to the real estate described in said Notices.

11-13-98
DATE

Gary R. Hassel
GARY R. HASSEL, #000002223
974 - 73rd Street, Suite 20
Des Moines, IA 50312
Telephone (515) 223-1335
ATTORNEY FOR HITCHCOCK

Subscribed and sworn to before me Nov. 13, 1998.

Rickie K. Wickersham
NOTARY PUBLIC - STATE OF IOWA

RICKIE K. WICKERSHAM
My Commission Expires 10/15/99

PAGE INVESTIGATIONS
Affidavit of Service

HITCHCOCK
VS

Service For GARY HASSEL

JORDAN, OLIVER & WALTERS, P.C.

Law #:

STATE OF IOWA

POLK

COUNTY

I, the undersigned, being first duly sworn on oath, depose and state that I am over the age of 18 years, and that I received and served the following documents :

- | | |
|--|----------------------------------|
| ORIGINAL NOTICE | APPEARANCE AND ANSWER FORM |
| ORDER FOR HEARING | THIRTY DAY NOTICE TO QUIT |
| PETITION | JURY DEMAND |
| NOTICE TO QUIT AND NOTICE TO CURE | INJUNCTION |
| VERIFICATION | ORDER TO SHOW CAUSE |
| FINANCIAL STATEMENT OF NET WORTH | NOTICE OF REAL ESTATE FORFEITURE |
| FORCIBLE ENTRY DETAINER | AFFIDAVIT |
| NOTICE OF GARNISHMENT | SUBPOENA |
| ORDER FOR APPEARANCE & EXAMINATION | EXHIBITS |
| XX NOTICE, CLAIM OF HOMESTEAD & DEMAND FOR EXECUTION | |

I received these documents on the 07 day of October, 1998, and on the 14 day of October, 1998 at 03:00 o'clock Pm. I served the same on the within named JORDAN, OLIVER & WALTERS, P.C. at W. JEFFERSON & H. I AVE. city of WINTERSSET in MADISON county Iowa by delivering a true and identical copy of such items in this manner:

I served the same by delivering a copy thereof to the above personally

I served the same on the above person by sub-serving
-- who is over the age of 18 years and is a resident of the above persons usual place of abode. Relationship to the above person is

I served the same on the above person by sub-serving
-- who is over the age of 18 years and isn't a resident of the above persons usual place of abode. Relationship to the above person is

XX I served the same on the above company, corporation, etc., by delivering
-- a copy to G. STEPHEN WALTERS whose position is REGISTERED AGENT and who is over the age of 18 years.

I attempted service on _____ and after diligent
-- investigation found that :

FEE	\$25.00
MILEAGE	24.00
TOTAL	\$49.00

By

Subscribed and sworn to before me by the said KEITH PAGE on this 15 day of October, 1998

Invoice #: 36014

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

