

REC \$ 25<sup>00</sup>  
AUD \$ \_\_\_\_\_  
R.M.F. \$ 1<sup>00</sup>

FILED NO. 3423

BOOK 44 PAGE 865

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COMPARED

ROCHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

Prepared By: Dean R. Nelson, P.O. Box 370, Earlham, IA 50072  
Telephone (515) 758-2267

AFFIDAVIT

STATE OF IOWA :  
                  : SS  
MADISON COUNTY :

I, Niol E. Thomas, being first duly sworn on oath depose and state as follows, for the purpose of clarifying the record chain of title to the following described real estate, to-wit:

Parcel "D" in the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Five (5), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows: Beginning at the West Quarter Corner of Section Five (5), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence, along the south line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Five (5), South 90°00'00" East, 708.05 feet; thence North 00°17'21" West, 373.33 feet; thence North 90°00'00" West, 709.85 feet to the West line of said Southwest Quarter (¼) of the Northwest Quarter (¼); thence, along said West line, South 00°33'52" East, 373.35 feet to the point of beginning. Said Parcel "D" contains 6.076 Acres including 0.810 Acres of County Road Right-of-Way.



1. That I was the Respondent in dissolution of marriage proceedings filed in the Iowa District Court For Madison County under Equity No. DM 2-497 which proceedings are shown at Docket DM 2, Page 497.

2. That in these dissolution of marriage proceedings a LEGAL NOTICE OF ADMINISTRATIVE LEVY from the Iowa Department of Human Services, Child Support Recovery Unit was filed on January 16, 1996, giving notice of a state law for collection of child support through levies against accounts.

3. This notice was only for the purpose of setting forth a state law for collection of child support through levies against accounts. This was only an informational letter. Attached hereto marked Exhibit "A" is a copy of said LEGAL NOTICE OF ADMINISTRATIVE LEVY for reference purposes.

4. This affidavit has been filed solely for the purpose of setting forth the LEGAL NOTICE OF ADMINISTRATIVE LEVY that was filed with the Iowa District Court For Madison County and was only an informational letter and did not constitute a lien for past due child support.

Further this affiant sayeth not.

Niol E. Thomas

#2. Affidavit.

Subscribed and sworn to before me and in my presence by the  
said Niol E. Thomas this 5<sup>th</sup> day of March, 1998.



Notary Public in and for the  
State of Iowa.

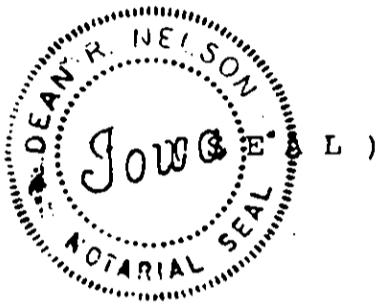


EXHIBIT "A"

Iowa Department of Human Services

LEGAL NOTICE OF ADMINISTRATIVE LEVY

NIOL E. THOMAS  
1310 SW. KENWORTHY DR  
ANKENY IA 50021

Date: 01/11/96  
Worker: DONNA J. FLEMING  
COURT ORDER #: 2-497  
COUNTY #: 61

Case Number(s): 30115

Child Support Recovery Unit  
211 E MAPLE SUITE 100  
DES MOINES IA 50309  
515-281-6378

This notice is to tell you of a state law for collection of child support through levies against accounts.

***Please Read This Notice Carefully And Completely***

Iowa Code Chapter 252I (1995) permits the collection of court ordered child support through levies against accounts. Court ordered support is child support, medical support, and spousal support.

The Child Support Recovery Unit may initiate a levy if you owe an amount equal to the support payable for one month. A levy is an administrative action to seize funds in an account. The seized funds will apply to the child support delinquency. Accounts include bank accounts, credit union accounts, time certificates, share accounts, or shares, etc.

The law provides for the verification of the accounts by the Child Support Recovery Unit. The financial institution is exempt from any civil or criminal liability for the release of information. Neither the financial institution nor the unit is liable for a penalty cost for early withdrawal of funds.

Notice of the law must be given. Your support order may contain this notice. If not, ***this is your official notice.***

You may or may not currently owe more than the support payable for one month. The purpose of this notice is to inform you of the Child Support Recovery Unit's authority if you do owe more than the support payable for one month now, or in the future. You may wish to keep this notice with your support order for future reference.

470-3187 (11/95)

If you have any questions about this law, contact your private attorney or the Child Support Recovery Unit. The unit's address and telephone number are shown above.

**Legal Reference:** Iowa Code Chapter 252I (1995) states in part:

The unit may use an administrative levy to collect delinquent support payments. Iowa Code Section 252I.2 (1).

An obligor is subject to administrative levy under certain conditions. The obligor's support obligation must be enforced by the Child Support Recovery Unit and must be delinquent in an amount equal to the support payment for one month. Iowa Code Section 252I.2 (2).

The unit may contact a financial institution to obtain verification of the account number, the names and social security numbers listed for the account, and the account balance of any account held by an obligor. Iowa Code Section 252I.4.

The financial institution or the unit is not liable for the cost of any early withdrawal penalty of an obligor's certificate of deposit. Iowa Code Section 252I.4 (3).

You may challenge an administrative levy. Only a mistake of fact, including but not limited to a mistake in identity of the obligor or a mistake in the amount of the delinquent support due are reasons to dismiss or modify the administrative levy. Iowa Code Section 252I.8 (3,4).

There may be other exemptions or exceptions that may apply to your specific case. Consult your legal representative for further information on potential defenses. Iowa Code Section 252I.2 (1).

Any amounts forwarded by a financial institution shall not exceed the amounts specified in 15 USC 1673(b) and shall not exceed the delinquent or accrued amount of support owed by the obligor. Iowa Code Section 252I.5 (3).

A copy of this notice and proof of mailing shall be filed in the records of the Child Support Recovery Unit and with the clerk of court.

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***Policy on Nondiscrimination***

No person shall be discriminated against because of race, color, national origin, sex, age, mental or physical disability, creed, religion, or political belief when applying for employment, or when applying for, or receiving benefits or services from the Iowa Department of Human Services.

If you think you have been the object of discrimination, you may file a complaint with the Iowa Department of Human Services by completing a Discrimination Complaint form. This form can be obtained from any Human Services office or the Bureau of Equal Opportunity. You may also file a complaint with the Iowa Civil Rights Commission (if you feel you were discriminated against BECAUSE OF your race, creed, color, national origin, sex, religion, or disability); or the United States Department of Health and Human Services, Office of Civil Rights.

Iowa Department of Human Services  
Bureau of Equal Opportunity  
Hoover State Office Building  
Des Moines, IA 50319-0114

Iowa Civil Rights Commission  
211 E Maple St, Second Floor  
Des Moines, IA 50309-1858

U.S. Department of Health and Human Services  
Office for Civil Rights Region VII  
501 E 12th St Rm 248  
Kansas City, MO 64106

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