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FILED NO. 160  
BOOK 136 PAGE 489  
96 JUL 16 PM 4:03  
MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

Preparer Information Lewis H. Jordan P.O. Box 230 Winterset 515/462-3731  
Individual's Name Street Address City 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 MADISON

The undersigned, first being duly sworn upon oath ~~to be sworn~~ 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.

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) ~~(has)~~ 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.

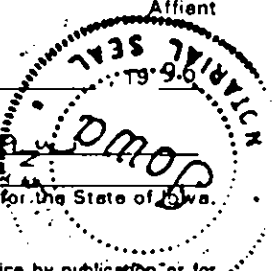
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled 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.

By Leona M. Gardner Carlson, Owner  
Lewis H. Jordan, Attorney Affiant

Subscribed in my presence and sworn to ~~to be sworn~~ before me by the said Affiant this 16 day of July

Carol Kiernan  
Carol Kiernan  
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 \_\_\_\_\_, 19\_\_\_\_, 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

STATE BAR ASSOCIATION No. 175 ISBA# 02714 Jordan, Oliver & Walters, P.C. Box 230, Winterset, IA 50273 (515/462-3731)

Preparer Information Lewis H. Jordan P.O. Box 230 Winterset 515/462-3731 Individual's Name Street Address City Phone

SPACE ABOVE THIS LINE FOR RECORDER

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: CLARENCE L. HICKEY, WAYNE PUMEL, and BECKY PUMEL

You and each of you are hereby notified:

(1) The written contract dated February 15, 19 92, and executed by Leona M. Gardner Carlson

as Vendors, and

Clarence L. Hickey

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

Commencing at a point 7 rods N of the SE corner of the SW 1/4 of the SE 1/4 of Sec. 18, Township 74 N, Range 27 W of the 5th P.M., Madison County, Iowa, and running th. W 14 rods, th. N 33 rods, th. W 12 rods, th. N 40 rods to the N line of said 40-Acre tract, th. E 26 rods to NE corner thereof, th. S to POB, containing 9.5 acres, more or less has not been complied with in the following particulars:

Table with 2 columns: Description (a-d) and Amount. (a) 1,157.85, (b) 1,802.12, Total 2,959.97

(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 \$ 50 (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

LEONA M. GARDNER CARLSON

By [Signature] Lewis H. Jordan Their Attorney Vendors (or Successors in Interest) Address: F & M St. Bank Bldg, Box 230 Winterset, IA 50273

RETURN OF SERVICE

The within notice received the 31st day of May, 1996, and I certify that I served the same on the person(s) named below by delivering a copy thereof to said person(s) personally at the time and place set opposite his or her name:

I certify that I served a Notice of Forfeiture of Real Estate Contract on **Wayne Pumel**, at 3091 Millstream Ave. Peru, IA 50222; and on **Becky Pumel**, by serving Becky Pumel, a person residing at the usual place of abode of Wayne Pumel at said address, who is at least 18 years of age,

on June 8, 1996.

FEES:

Service \$35.00  
Copies \$ \_\_\_\_\_  
Mileage \$ \_\_\_\_\_

*rd  
rje*

MEMO AND AFFIDAVIT OF SERVICE

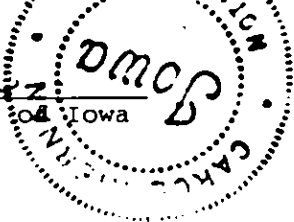
STATE OF IOWA :  
                  : ss  
MADISON COUNTY:

The undersigned, first being duly sworn upon oath, deposes and states that he served the attached notice or document on each of the persons named above by delivering a copy of said notice or document to each of said persons at the time and place set above opposite their respective names.

*Joseph Carney*  
\_\_\_\_\_  
Joseph Carney

Subscribed and sworn to before me by Joseph Carney on this 10<sup>th</sup> day of June, 1996..

*Carol Kienast*  
\_\_\_\_\_  
Notary Public in and for the State of Iowa



STATE BAR ASSOCIATION No. 175 ISBA# 02714 Jordan, Oliver & Walters, P.C. Box 230, Winterset, IA 50273 (515/462-3731)

Preparer Information Lewis H. Jordan P.O. Box 230 Winterset 515/462-3731 Individual's Name Street Address City Phone

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TO: CLARENCE L. HICKEY, WAYNE PUMEL, and BECKY PUMEL

You and each of you are hereby notified:

(1) The written contract dated February 15, 19 92, and executed by Leona M. Gardner Carlson as Vendors, and

Clarence L. Hickey

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

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Table with 2 columns: Particulars (a-d) and Amounts (1,157.85, 1,802.12, Total 2,959.97)

(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 \$ 50 (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

LEONA M. GARDNER CARLSON

Vendors (or Successors in Interest) By Lewis H. Jordan Their Attorney Address: F & M St. Bank Bldg, Box 230 Winterset, IA 50273

RETURN OF SERVICE

The within notice received the 31st day of May, 1996, and I certify that I served the same on the person(s) named below by delivering a copy thereof to said person(s) personally at the time and place set opposite his or her name:

I certify that I served a Notice of Forfeiture of Real Estate Contract on **Clarence L. Hickey**, at 701 West Jefferson, Creston, IA 50801 by serving April Miller, a person residing at the usual place of abode of Clarence L. Hickey at said address, who is at least 18 years of age, on June 10, 1996.

FEES:

Service \$45.00  
Copies \$ \_\_\_\_\_ *tpd*  
Mileage \$ \_\_\_\_\_

MEMO AND AFFIDAVIT OF SERVICE

STATE OF IOWA :  
                  :SS  
MADISON COUNTY:

The undersigned, first being duly sworn upon oath, deposes and states that he served the attached notice or document on each of the persons named above by delivering a copy of said notice or document to each of said persons at the time and place set above opposite their respective names.

Joseph Carney  
Joseph Carney

Subscribed and sworn to before me by Joseph Carney on this 10 day of June, 1996..

Carol Kenna  
Notary Public in and for the State of Iowa

