

97 DEC 30 PM 1:30

MICHELLE UTULLI
RECORDER
MADISON COUNTY, IOWA

REC 10⁰⁰

AUDS
RMF.S

COMPUTER

RECORDED

COMPARED

515/462-2442

Preparer Information Gordon K. Darling, Jr., 53 Jefferson St. Winterset, IA 50273
Individual's Name Street Address City Phone



**AFFIDAVIT IN SUPPORT OF FORFEITURE
OF REAL ESTATE CONTRACT**

SPACE ABOVE THIS LINE
FOR RECORDER

TO WHOM IT MAY CONCERN STATE OF IOWA, COUNTY OF MADISON

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

SEE BELOW

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

Gordon K. Darling, Jr. Affiant
Attorney for Vendors

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 30th day of December, 1997



Beth A. Agan
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 RCP 60 601 and 62 Suggested That Personal Service could not and cannot be made upon Robert E. Keefe, Lynne R. Keefe and First Fed. Savings & Loan of Rapid City in the State of Iowa that on the 11th day of November 19 97 a copy of said Notice was sent by ordinary mail addressed to said (~~party~~) (parties) at their last known mailing address to wit see attached notice addresses

Iowa Code Chapter 656

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 26th day of November, 1997

Ted Gorman

Subscribed and sworn to before me this

26th day of November, 1997

Raye D. Lynne Cook
NOTARY PUBLIC
In and for Madison County

Fee \$ 67.92

RECEIVED DEC 04 1997



**NOTICE OF FORFEITURE OF
REAL ESTATE CONTRACT**

TO Robert E Keefe and
Lynne R Keefe
1280 S. Powerline, #216
Pompano Beach, Florida 33069

First Federal Savings and Loan
of Rapid City
Rapid City, South Dakota 57701

You and each of you are hereby notified
(1) The written contract, dated March 29 1984 and executed by Alan Dikson Ball and
Jeanie Ball, as Vendors, and Robert E Keefe and Lynne R Keefe as Vendees, for the
sale of the following described real estate

A parcel of land in the West Half (1/2) of the Northwest Quarter (1/4) of Section
Thirty-one (31), in Township Seventy-seven (77) North, Range Twenty-seven (27)
West of the 5th P.M., Madison County Iowa more particularly described as
Commencing at the West Quarter (1/4) corner of said Section Thirty-one (31)
thence North 39 27 43" East 1298 12 feet to the Point of Beginning, thence
North 00 17 32" West 843 99 feet, thence North 88 59 33" East 494 58 feet,
thence South 06 59 40" West 539 38 feet, thence South 56 29 08" West 84 27
feet, thence North 76 35 16" West 43 35 feet, thence South 00 10 37" West
271.10 feet thence South 86 14 28" West 313 88 feet to the Point of Beginning,
containing 7 839 acres, more or less,

has not been complied with in the following particulars

(a) Unpaid principal	\$34,141.38
(b) Unpaid interest	2,623.95
(c) Real estate taxes	2,925.00
plus daily interest of \$10.29	TOTAL \$39,690.33

(2) The contract shall stand forfeited unless the parties in default, within 30 days af-
ter the date of third weekly publication 11/26/97, shall perform the terms and condi-
tions in default, and in addition pay the reasonable costs of serving this notice

ALAN DIXSON BALL and JEANIE BALL
Vendors

By /s/
Gordon K Darling, Jr
P O Box 88
Winterset, Iowa 50273-0088
ATTORNEY FOR VENDORS

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