

STATE OF IOWA, SS Inst. No. 416 Filed for Record this 13 day of August 19 93 at 10:40 AM
MADISON COUNTY, Book 58 Page 513 Recording Fee \$ 16.00 Michelle Utstler, Recorder, By Shirley H. Hendry Deputy

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IT MAY CONCERN: STATE OF IOWA, COUNTY OF POLK, SS:

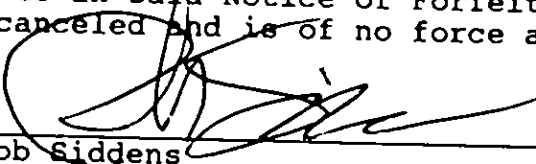
The undersigned, first being duly sworn upon oath deposes and states:

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) or 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 Real Estate Contract mentioned in said Notice specifically provides for the forfeiture of the vendee(s) rights in such contract in accordance with Code Chapter 656. 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) are entitled to and/or have retaken possession of said real estate following the expiration of said 30 day period.

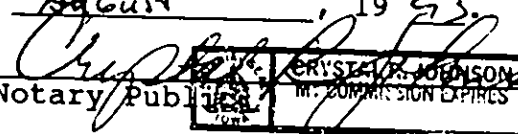
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled to any rights under the Soldiers' and Sailors' Civil Relief Act or similar act or acts amendatory thereof or supplementary thereto.

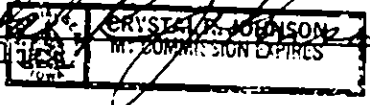
That this affidavit is made as supporting proof, record and notice, that the contract referred to in said Notice of Forfeiture is now null and void, stands forfeited and canceled and is of no force and effect whatsoever.



Bob Siddens
Attorney for AVCO FINANCIAL SERVICES OF DENISON, INC.

Subscribed in my presence and sworn to before me by the said Affiant this 3 day of August, 19 93.



Notary Public 

RECORDER'S CERTIFICATE STATE OF IOWA, COUNTY OF _____, SS:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit together with Notice and returns thereto attached was filed in the said Recorder's Office by the party or parties causing said Notice to be served as shown by the Notice, on the 5th day of August, 19 93.

Michelle Utstler
Recorder
Deputy Shirley H. Hendry

COMPUTER
RECORDED
COMPARED

STATE OF IOWA, SS Inst. No. 337 Filed for Record this 5 day of August 19 93 at 3:47 PM
MADISON COUNTY, Book 58 Page 496 Recording Fee \$ 16.00 Michelle Utstler, Recorder, By Shirley H. Hendry Deputy

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

To: Vendee: LYNN DUFF, 506 Stuart, Adair, IA 50002
 Assignee of Record: JAMES LYMAN AND CONNIE LYMAN
 1214 W. South, Winterset, IA 50273
 Vendee's Mortgagees of Record: None
 Parties in Possession: None
 Claimants Requesting Notice of Record: None

You and each of you are hereby notified:

1. That the written contract executed by AVCO FINANCIAL SERVICES OF DENISON, INC. as Vendor and LYNN DUFF as Vendee, dated November 22, 1989 and recorded December 22, 1989 in Book 55 Page 516, for the sale of the following described real estate:

Lot 5 and 6, Block 8, Railroad Addition to the town of Winterset, Madison County, Iowa.

has not been complied with, in respect to the terms and conditions of said contract in the following specific particulars:

a. Non payment of partial March 1993 payment of \$83.25 and April, May, and June, 1993 payments of \$264.85 each for a total due of \$ 877.80


b. Non payment of tax escrow and/or taxes payable at the County Treasurer's Office.

\$ 780.00
 TOTAL \$ 1657.80

2. That said contract will stand forfeited and canceled as by its terms and provisions it may be, unless the parties in default within 30 days after the completed service of this notice, shall perform the said terms and conditions in default, and in addition pay the reasonable costs of serving this notice.

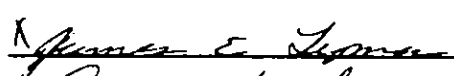

3. Vendor also claims \$50 attorney fees pursuant to Iowa Code Section 656.7 but payment of attorney fees is not required to comply with the notice and prevent forfeiture.

AVCO FINANCIAL SERVICES OF DENISON, INC., Vendors (or Successors in Interest)

By:  Attorney for AVCO FINANCIAL SERVICES OF DENISON, INC., Bob Siddens, 650 42nd Street, Des Moines, IA 50321 274-6210

ACKNOWLEDGEMENT OF SERVICE

The undersigned, on the date hereinafter set forth, hereby acknowledge due, timely and legal service of the foregoing notice, and acknowledge receipt of copy thereof at the time and place set opposite our respective names.

	Date of Service	Place of Service
<u></u>	<u>7-2-93</u>	<u>409 North 9th</u>
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NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

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Assignee of Record: JAMES LYMAN AND CONNIE LYMAN
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Vendee's Mortgagees of Record: None
Parties in Possession: None
Claimants Requesting Notice of Record: None

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b. Non payment of tax escrow and/or taxes payable at the County Treasurer's Office. \$ 780.00
TOTAL \$ 1657.80

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3. Vendor also claims \$50 attorney fees pursuant to Iowa Code Section 656.7 but payment of attorney fees is not required to comply with the notice and prevent forfeiture.

AVCO FINANCIAL SERVICES OF DENISON, INC., Vendors (or Successors in Interest)

By: [Signature] Attorney for AVCO FINANCIAL SERVICES OF DENISON, INC., Bob Siddens, 650 42nd Street, Des Moines, IA 50321 274-6210

ACKNOWLEDGEMENT OF SERVICE

The undersigned, on the date hereinafter set forth, hereby acknowledge due, timely and legal service of the foregoing notice, and acknowledge receipt of copy thereof at the time and place set opposite our respective names.

Date of Service Place of Service
M. Lynn M. Duff 07-02-93 Adair, Iowa