

AFFIDAVIT IN SUPPORT OF FORFEITURE
OF REAL ESTATE CONTRACT

FILED NO. 849
BOOK 123 PAGE 641

1987 NOV 13 PM 12:11

TO WHOM IT MAY CONCERN:

STATE OF IOWA)
) ss.
COUNTY OF POLK)

Fee \$15.00 MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

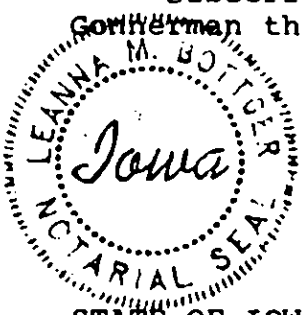
The undersigned, first being duly sworn upon oath deposes and states:

IND.
REC.
PAGE

1. I am attorney for Lutheran Church-Missouri Synod Foundation and the facts stated are within my personal knowledge.
2. Attached is a Notice of Forfeiture of Real Estate Contract, including personal signatures of An Hau Wang and Michael D. Koch accepting service of it. Michael D. Koch was the sole party in possession of the real estate at the time of service.
3. More than 30 days have passed since the service of that Notice.
4. The default mentioned in that Notice has not been corrected by anyone within the 30 days mentioned in that Notice.
5. Vendor has retaken possession of the real estate described in the Notice following the expiration of the 30 day period.
6. The Real Estate Contract mentioned in that Notice specifically provides for the forfeiture of the vendee's rights in such contract in accordance with Code Chapter 656.
7. None of the parties upon whom the Notice of Forfeiture was served was at the time of the service or at the time of making this affidavit in the military service of the United States of America. None of the parties is therefore entitled to any rights under the Soldiers' and Sailors' Civil Relief Act as amended, or any similar act.
8. This affidavit is made as supporting proof that the contract referred to in the Notice of Forfeiture is now forfeited.

Donald Gonnerman
Donald Gonnerman

Subscribed in my presence and sworn to before me by Donald Gonnerman this 10th day of November, 1987.



Leanna M. Bottger
Notary Public

RECORDER'S CERTIFICATE

STATE OF IOWA, COUNTY OF MADISON, ss:

The undersigned Recorder in and for the County in the State aforesaid, certifies that the foregoing affidavit together with Notice and acceptance of service attached was filed in the Recorder's Office by the party or parties causing said Notice to be served as shown by the Notice, on the 13 day of NOVEMBER, 1987.

Mary E. Welty
Recorder



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

115-327

TO: An Hau Wang, De Soto, Iowa, and parties in possession of the
real estate described in this Notice

You and each of you are hereby notified:

(1) That the written contract dated April 7, 1981, and executed by Lutheran Church-Missouri Synod Foundation, Trustee under that certain Charitable Remainder Unitrust Agreement dated July 23, 1979, for the initial benefit of Alfred H. Koch
as Vendors and An Hau Wang

_____ as Vendors
for the sale of the following described real estate:

A part of Sections 10 and 11, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, as more particularly described on Exhibit A attached.

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

- | | | |
|-----|---|----------------|
| (a) | Failure to pay installments of principal and interest after April, 1985 | \$27,000 |
| (b) | | _____ |
| (c) | | _____ |
| (d) | | _____ |
| | | _____ |
| | | _____ |
| | | Total \$27,000 |

(2) That said contract will stand forfeited and cancelled 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.

LUTHERAN CHURCH-MISSOURI SYNOD FOUNDATION,
Trustee
By: William F. Meyer, Executive Vice President
By: Robert W. Knehans
Vendors (or Successors in Interest)
Robert W. Knehans, Assistant Secretary

CHAPTER 656
CODE OF IOWA

By _____
Their Attorney
Address: _____

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.

<u>Michael D. Koch</u> Michael D. Koch	<u>Aug 27, 1987</u> Date of Service	<u>Van Meter, Iowa</u> Place of Service
<u>An Hau Wang</u> An Hau Wang	<u>Aug 27, 1987</u>	<u>Van Meter, Iowa</u>

The East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Ten (10), Township Seventy-seven (77) North, Range Twenty-seven (27), West of the 5th P. M., EXCEPTING therefrom a tract described as follows: Beginning at the southeast corner of said East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), thence north along the east section line of said Section Ten (10) 363 feet, thence south approximately 30°54 $\frac{1}{2}$ ' west 430.99 feet to the south line of said East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), thence east approximately 240 feet to the point of beginning containing 1.0 acres more or less;

ALSO

The East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Ten (10), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P. M., EXCEPTING therefrom a tract described as follows: Commencing at the northeast corner of said Section Ten (10), thence west along the north line of said section 209.26 feet, thence south 38°17' east 338.15 feet to the east line of said section, thence north along the east line of said section to the point of beginning, containing 0.622 acres more or less;

ALSO

The west 6 $\frac{2}{3}$ acres of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Eleven (11), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P. M., EXCEPTING therefrom a tract described as follows: Commencing at the northwest corner of said Section Eleven (11), thence east along the north line of said section 230.74 feet, thence south along the east line of said 6 $\frac{2}{3}$ acre tract 550 feet, thence north 38°17' west to the west line of said Section Eleven (11), thence north 259.04 feet to the point of beginning, containing 2.257 acres more or less.