



AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IT MAY CONCERN:

STATE OF IOWA

COUNTY OF CLARKE } ss:

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.



FILED NO. 2666

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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee \$20.00

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) have (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)' 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 F. Sue Oglesbee, President
F. Sue Oglesbee, President Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 12 day of April, 1990

JAMES H. COTHERN

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: _____

Code Chapter 656

RECORDER'S CERTIFICATE

STATE OF IOWA, COUNTY OF MADISON } 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 25 day of JUNE, 1990

Mary E. Welty
Recorder

DEED RECORD 126

RETURN OF SERVICE

FORM 141-Q June 1989

IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

Case Name SAT S.L.T.D.v Wiles

Case No.

Notice Rec'd this date March 6, 1990

STATE OF IOWA

Madison County ss.

RETURN OF SERVICE:

- Personal, Dwelling/Substitute, Hotel, Boarding/Rooming House, Corporation/Association, Official (State, County, City), Spouse away from residence, Other

I certify that I served a copy of:

- Petition and Original Notice, Modification/Application and Notice, Order to Show Cause, Order Filed, Writ, Other Notice of Forefeiture

Served:

Michael C. Wiles at RR 1 Box 24 Peru, Iowa on March 6, 1990

by serving (Name) at (Address)

NOTE: (Diligent Search, etc.)



Paul D. Welch, Sheriff Madison County, Iowa

Craig Busch, Deputy Official Title

SUBSCRIBED AND SWORN TO BEFORE ME BY THE SAID Craig Busch this 6th day of March, 1990.

FEES: Processing \$10.00, Mileage 6.72, Notary, TOTAL \$16.72

Notary Public in and for the State of Iowa

Fees, charges or paid by Atty/Party: James H. Cothorn

NOTE: Copy of Original Notice, if served, must be attached to this form.

IN THE IOWA DISTRICT COURT FIFTH JUDICIAL DISTRICT

AFFIDAVIT OF RETURN OF SERVICE

STATE OF IOWA)
POLK County)

RETURN OF SERVICE
(X) Personal
() Dwelling House
() Hotel, Boarding or Rooming House
() Corporation/Assoc.
() State Official

Case Name SAT S.L.T.D.v Wiles
Case Number _____
Notice received the 6th day of March 1990

I, the undersigned, being first duly sworn on oath on oath, depose and state that I received and served a copy of the following:

- () Petition and Original Notice () Order Filed _____ (Date)
- () Modification/Application and Notice () Writ Filed _____ (Date)
- () Order to Show Cause (X) Other Notice of Forefeiture _____

On the 12th day of March 1990, at 7:15 A.m, I served the same on
1 Jewel A Wiles at Lakeview Mobile Home Ct #11
2 _____ at _____
3 _____ at _____
in Mitchellville in Polk County, Iowa.

By serving _____ a person residing therein who was then at least 18 years old.

By serving _____ Title _____

Notes:

FEES
Service- \$ 10.00
Copies - \$ _____
Mileage- \$ 10.00
Other - \$ 5.00 Attempts
Total - \$ 25.00

SERVICE# 6629 ACCOUNT# 101

Charles Taylor Jr
Professional Independent Process Server

SUBSCRIBED AND SWORN TO BEFORE ME BY THE SAID Charles Taylor Jr

THIS 12th DAY OF March, 1990.



Lloyd G. Jackson
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

PROCESS ASSOCIATES, 1100 Fleming Bldg, Des Moines, Iowa 50309 (515) 244-2488



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO Michael C. Wiles, R.R.#1 Box 24, Peru, Iowa 50222
Jewel A. Wiles, R.R. Lakeview Mobile Home Court, #11, Mitchellville, IA 50169

You and each of you are hereby notified:

(1) The terms of the written contract dated March 31, 1988, and executed by Mack L. Oglesbee and F. Sue Oglesbee

as Vendors, and Michael C. Wiles and Jewel A. Wiles
_____ , as Vendees.

for the sale of the following described real estate:
Commencing at the Northwest corner of the Northeast Quarter (1/4) of the North-west Quarter (1/4) of Section Thirteen (13), Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., thence east 320 feet, thence South 429 feet, thence West 320 feet, thence North 429 feet to the place of beginning, Madison County, Iowa.

has not been complied within the following specific particulars:

- (a) Principal and interest payment of \$50.00 due January 1, 1990, \$400.00
\$175.00 due February 1, 1990, and \$175.00 due March 1, 1990.
- (b) Delinquent real estate taxes which became delinquent October 1, \$165.00
1989, for 1/2 year.
- (c) Failure to maintain insurance on property, which insurance lapsed, \$153.00
- (d) _____

Total 718.00

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

SAT S.L.T.D., an Iowa Corporation

BY: F. Sue Oglesbee
Vendors (or Successors in Interest)

F. Sue Oglesbee, President

Chapter 656. The Code

By _____ Their Attorney—

Address: _____

ACKNOWLEDGEMENT OF SERVICE

The undersigned hereby acknowledge due, timely and legal service of this notice, and acknowledge receipt of a copy at the time and place set opposite their respective names.

	Date of Service	Place of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____