



Document 2010 935

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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

**RETURN OF SERVICE  
WITH DEMAND FOR FORFEITURE**  
Recorder's Cover Sheet

**Preparer Information:**

Mark L. Smith, Post Office Box 230, Winterset, (515) 462-3731

**Taxpayer Information:**

Nathaniel D. & Sabrina K. McVay  
329 S. 5th Avenue  
Winterset, IA 50273

✓ **Return Address**

Mark L. Smith  
P.O. Box 230  
Winterset, IA 50273

**Grantors:**

N/A

**Grantees:**

N/A

**Legal Description:** See Page 3

**Document or instrument number if applicable:** \*\*\*Document Number TE\*\*\*

TO.....DISCOVER FINANCIAL SERVICES INSURANCE AGENCY, INC.  
c/o Its Registered Agent, CT Corporation System  
500 East Court Avenue  
Des Moines, IA 50309

**DEMAND FOR THE FORFEITURE OF A LIEN AND ALL BENEFITS  
DERIVED THEREFROM ON REAL ESTATE PLATTED AS A HOMESTEAD  
PURSUANT TO IOWA CODE SECTION 624.23**

YOU ARE HEREBY NOTIFIED that Lynn Kellner, F/K/A Lynn Wilke, Lynn Marie Wilke, and Lynn M. Wilke-Metz, is the owner of certain real estate, more particularly described as follows:

**The South 60 feet of Lot Seven (7) and one-half of the alley  
East of the South 60 feet of Lot Seven (7) in Block Five (5) of  
West Addition to the Town of Winterset, Madison County,  
Iowa.**

Said property is the homestead of Lynn Kellner, F/K/A Lynn Wilke, Lynn Marie Wilke, and Lynn M. Wilke-Metz, and has been occupied by her as and for a dwelling and used as a home since 2003. The premises is situated within the Town of Winterset, Iowa, and is less than one-half acre in area.

YOU ARE FURTHER NOTIFIED that there is a lien upon said real estate described above by virtue of a Judgment against Lynn M. Wilke in the Iowa District Court for Madison County, Case No. LACV031533, entered on August 1, 2005, in favor of Discover Bank in the amount of \$8,491.64, together with interest thereon at a rate 5.3% per annum from June 16, 2005.

The liability to repay the debt associated with this Judgment was discharged through a Bankruptcy that was filed by Lynn Wilke in Case No. 05-08298-LMJ7 in the United States Bankruptcy Court for the Southern District of Iowa with the Discharge therefrom occurring on January 10, 2006.

As the owner of said Judgment Lien you are further notified that the lien and benefits derived from the lien as to the real estate described above shall be forfeited unless you, as the owner of the Judgment, levy execution against said real estate within thirty (30) days from the date of service of this Demand.

THIS DEMAND IS MADE PURSUANT TO AND IN FULFILLMENT OF IOWA  
CODE SECTION 624.23.

Dated this 17<sup>th</sup> day of March, 2010.

JORDAN, OLIVER & WALTERS, P.C.

By Mark L. Smith

Mark L. Smith (AT0007354)

P.O. Box 230

Winterset, IA 50273

Telephone: 515/462-3731

FAX; 515/462-3734

ATTORNEYS FOR LYNN KELLNER.

F/K/A Lynn Wilke, Lynn Marie Wilke, and  
Lynn M. Wilke-Metz

**RETURN OF SERVICE**

The within Demand for the Forfeiture of a Lien and All Benefits Derived Thereunder on Real Estate Platted As A Homestead Pursuant To Iowa Code Section 624.23 received the 17<sup>th</sup> day of March, 2010, 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 name:

I certify that I served, on March 18, 2010, a Demand for the Forfeiture of a Lien and All Benefits Derived Thereunder on Real Estate Platted As A Homestead Pursuant To Iowa Code Section 624.23, on CT Corporation Systems, as Registered Agent for Discover Financial Services Insurance Agency, Inc. by serving Nancy Zehr at CT Corporation Systems at 500 East Grand Avenue, Des Moines, Iowa 50309..

FEES:

Service: \$60.00

**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 out above opposite their respective names:

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

Subscribed and sworn to before me by Joseph Carney on this 19 day of March, 2010.

  
\_\_\_\_\_  
Notary Public in and for the State of Iowa

