

AFFIDAVIT

STATE OF IOWA )  
                  ) SS  
MADISON COUNTY )

I, Judy Burkhead Waltz, upon being duly sworn and deposed, do hereby state:

The affiant is Judy Burkhead Waltz who was formerly known as Judy Burkhead. Attached to this Affidavit as Exhibit "A" and incorporated herein is a Demand For Execution Under Iowa Code Section 624.23(2). The affiant has caused this Demand shown as Exhibit "A" to be prepared and served upon the parties described in said Demand in the manner authorized for Service of Original Notice under the Iowa Rules of Civil Procedure. Attached to this Demand shown as Exhibit "A" and a part of said exhibit is the proof of service of the Demand upon these parties.

The affiant states the real estate described in this Demand is platted as a homestead under Iowa Code Chapter 561. The affiant further states that more than thirty (30) days has passed since the date of service of this Demand upon each of the parties described in said Notice. Further, the affiant states that none of the parties listed on said Demand levied execution against the real estate within thirty (30) days from the date of service of the Demand upon them. Under Iowa Code Section 624.23(2) the respective parties lien of judgment and all benefits derived from this lien as to the real estate described in this Demand stand forfeited.

Further the affiant sayeth not.

Judy Burkhead Waltz  
Judy Burkhead Waltz

Subscribed and sworn to before me, this 13 day of June, 1991.



D.A. Bolton  
Notary Public

COMPARED

FILED NO. 2557  
BOOK 40 PAGE 315  
91 JUN 14 AM 10:17  
MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA  
Fee \$15.00

DEMAND FOR EXECUTION  
UNDER  
IOWA CODE SECTION 624.23 (2)

Exhibit "A"

TO: UNION STATE BANK, 201 WEST COURT, P. O. BOX 110, WINTERSET,  
IOWA 50273

GYLE RUSTAN ESTATE, RONALD RUSTAN, EXECUTOR, R. R., ST.  
CHARLES, IOWA 50240

MERCY HOSPITAL, 6TH AND UNIVERSITY, DES MOINES, IOWA 50314

MADISON COUNTY CLERK OF COURT, MADISON COUNTY COURTHOUSE,  
WINTERSET, IOWA 50273

FARMERS AND MERCHANTS STATE BANK, 101 WEST JEFFERSON STREET,  
P. O. BOX 29, WINTERSET, IOWA 50273-0029

MIDLAND SAVINGS BANK FORMERLY KNOWN AS MIDLAND FINANCIAL  
SAVINGS AND LOAN ASSOCIATION, 606 WALNUT, DES MOINES, IOWA  
50309

WINTERSET VETERINARY CLINIC, 315 EAST MADISON, WINTERSET, IOWA  
50273

YOU AND EACH OF YOU are hereby notified that Judy Burkhead  
Waltz owns the real estate legally described as:

A parcel of land located in the Northwest Quarter ( $\frac{1}{4}$ ) of  
the Southwest Quarter ( $\frac{1}{4}$ ) of Section Thirty-two (32),  
Township Seventy-seven (77) North, Range Twenty-nine (29)  
West of the 5th Principal Meridian, Madison County, Iowa,  
more particularly described as follows:

Commencing at the West Quarter corner of Section Thirty-  
two (32), Township Seventy-seven (77) North, Range  
Twenty-nine (29) West of the 5th P.M., Madison County,  
Iowa; thence, along the West line of said Section Thirty-  
two (32), South 00°00'00" 205.60 feet to the Point of  
Beginning; thence North 90°00'00" East 732.53 feet;  
thence South 00°00'00" 371.24 feet; thence South  
88°36'20" West 420.74 feet; thence North 00°00'00" 33.23  
feet; thence North 88°58'42" West 311.97 feet to said  
West line of Section Thirty-two (32); thence, along said  
West line, North 0°00'00" 342.69 feet to the Point of  
Beginning. Said parcel of land contains 6.108 acres,  
including 0.341 acres of county road right-of-way.

which is platted as a homestead under Iowa Code Section 561.4.

YOU AND EACH OF YOU are further advised that you are the owner of record of a judgment against Judy Burkhead Waltz formerly known as Judy Burkhead and Judy L. Burkhead. Iowa Code Section 624.23 (2) provides that judgment liens described in Iowa Code Section 624.23(1) do not remain a lien upon real estate of the judgment Defendant, platted as a homestead pursuant to Iowa Code Section 561.4, unless execution is levied within thirty (30) days of the time the Defendant or the Defendant's agent has served written demand on the owner of the judgment.

YOU AND EACH OF YOU are further advised that the judgment lien as to real estate platted as a homestead shall be forfeited unless the owner of the judgment levies execution against the real estate within thirty (30) days from the date of service of this demand.

TAKE HEED AND GOVERN YOURSELF ACCORDINGLY.

Judy Burkhead Waltz  
 Judy Burkhead Waltz  
 formerly Judy Burkhead  
 Box 494  
 Carlisle, Iowa 50047  
 Tele: (515) 989-0937

ACKNOWLEDGMENT OF SERVICE

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

<u>Party</u>	<u>Date of Service</u>	<u>Place of Service</u>
<u>Union State Bank by [Signature]</u>	<u>5-3-91</u>	<u>U.S. Bank</u>
<u>Farmers + Merchants State Bank by [Signature]</u>	<u>5-3-91</u>	<u>F+M Bank</u>
<u>[Signature]</u>	<u>5-6-91</u>	<u>Clerk of Court</u>
<u>[Signature]</u>	<u>5-13-91</u>	<u>Midland Bank</u>
<u>MERCY HOSPITAL by [Signature]</u>	<u>5-13-91</u>	<u>MERCY HOSPITAL</u>
<u>[Signature]</u>	<u>5-13-91</u>	<u>St Charles Rm 1</u>
<u>[Signature]</u>	<u>5-14-91</u>	<u>Waterloo Ia</u>
_____	_____	_____