



Document 2011 2942

Book 2011 Page 2942 Type 03 014 Pages 4

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Rec Amt \$22.00 Aud Amt \$5.00

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA



AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

THE IOWA STATE BAR ASSOCIATION

Official Form No. 176

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Samuel H. Braland, 115 E. First Street, P.O. Box 370, Earlham, Iowa 50027 (515) 758-2267

Taxpayer Information: (Name and complete address)

Wilson H. and Ruth J. Young
1838 Earlham Road
Winterset, iowa 50273

E/

Return Document To: (Name and complete address)

Samuel H. Braland
P.O. Box 370
Earlham, Iowa 50072

Grantors:

Wilson H. Young
Ruth J. Young

Grantees:

Stephanie A. Jobst

Legal description: See Page 2

Document or instrument number of previously recorded documents:



AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IT MAY CONCERN: STATE OF IOWA, COUNTY OF MADISON

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.

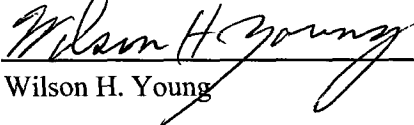
That, as shown by such returns, more than 30 days have passed since the service of such Notice.

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 vendors ~~has~~ have 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 ~~(s)~~ rights in such contract in accordance with Code Chapter 656.

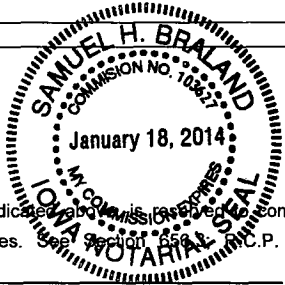
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled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

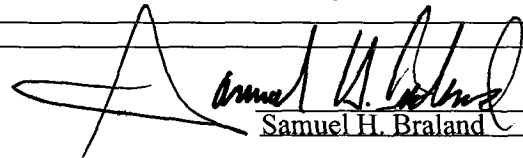
That this affidavit is made as supporting proof, record and notice, that the contract referred to in said Notice of Forfeiture is now null and void, stands forfeited and cancelled and is of no force and effect whatsoever.


Wilson H. Young


Ruth J. Young Affiant

Signed and sworn to (or affirmed) before me on October 21, 2011, by Wilson H. Young and Ruth J. Young




Samuel H. Braland, Notary Public

● The space as indicated above is reserved conveniently "tailor" for special situations and to set forth facts to sustain notice by publication or for both of such purposes. See section 656, I.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 _____, _____, a copy of said Notice was sent by ordinary mail addressed to said (party) (parties) at their last known mailing address, to-wit: _____

Iowa Code Chapter 656



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Stephanie A. Jobst
140 S.E. Cherry Avenue, Earlham, Iowa 50072

You and each of you are hereby notified:

(1) The written contract dated August 26, 2009, and executed by
Wilson H. Young and Ruth J. Young, husband and wife
as Vendors, and
Stephanie A. Jobst

_____ as Vendees,
(insert recording data) recorded the 23rd day of June, 2010, in the office of the
Madison County Recorder, recorded as document reference number
Book 2010, Page 1436 for the sale of the following described real estate:

Lot Nine (9) and the South Half (1/2) of Lot Ten (10) of B.F. Allen's Addition to the Town of
Earlham, Madison County, Iowa,

has not been complied with in the following particulars:

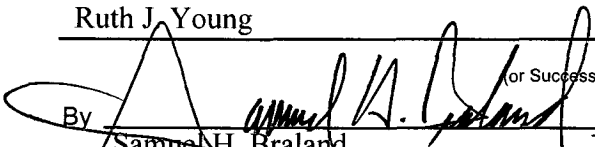
- | | |
|--|---------------------------|
| (a) Installment payments due the 15th day of July, | \$ _____ |
| (b) August, and September, 2011 are unpaid. | \$ <u>2,571.69</u> |
| (c) | \$ _____ |
| (d) | \$ _____ |
| Total | \$ <u>2,571.69</u> |

(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 of the Code of Iowa 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.

Wilson H. Young

Ruth J. Young

By  _____
Vendors
(or Successors in Interest)

Samuel H. Braland _____ Their Attorney -
Address: 115 E. First Street, P.O. Box 370
Earlham, Iowa 50072

Chapter 656, The Code

NOTE: If the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq., applies to this communication, attach Form No. 172, Notice of Validation of Debt.

ACKNOWLEDGMENT 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
_____	_____	_____
_____	_____	_____
_____	_____	_____

MEMO AND AFFIDAVIT OF SERVICE

STATE OF IOWA }
 County of Madison } SS.

The undersigned, first being duly sworn, upon oath deposes and states that (he)(she) served the notice on the obverse side hereof on each of the persons to whom said notice is addressed, and named below, by delivering a copy of said notice to each of said persons at the time and place set opposite their respective names, to-wit:

Name	Month	Day	Year	City Town or Township	County	State
Stephanie A. Jobst	09	18	2011	Earlham	Madison	Iowa

Doug Buchan

 Doug Buchan

Subscribed in my presence and sworn to before me by said affiant this 20th day of September, 2011.

Diane G. Williamson

Diane G. Williamson

 Notary Public in and for said County and State

