AFFIDAVIT SUPPORTING FORFEITURE OF REAL ESTATE CONTRACT

STATE OF IOWA :
:ss
MARSHALL COUNTY:

I, Jesse H. Wright, after first being duly sworn upon oath, depose and state as follows:

Attached hereto and incorporated herein by this reference, is a copy of a Notice of Forfeiture of Real Estate Contract, which, as shown by the Returns of Service contained thereon, was served on contract purchasers Dennis B. Hagen, Sr. and Catherine R. Hagen, in the manner provided for Original Notices, on June 12, 1984.

More than 30 days have expired since the service of the said Notice of Forfeiture of Real Estate Contract, and contract purchasers Dennis B. Hagen, Sr. and Catherine R. Hagen have failed to pay the $4,050.00 required to be paid under the said Notice and the Real Estate Contract described therein. Contract purchasers Dennis B. Hagen, Sr. and Catherine R. Hagen are the only parties who have been in possession of the real estate covered by the said Real Estate Contract and the said Notice of Forfeiture of Real Estate Contract from a date prior to service of the said Notice through the date of this Affidavit.

This Affidavit, including the attached Notice, when filed and recorded, is designed to give constructive notice to all parties of the due forfeiture and cancellation of the Real Estate Contract described in the attached Notice.

This Affidavit is given by me, of my own personal knowledge, as one of the contract sellers under the Real Estate Contract described in the attached Notice of Forfeiture of Real Estate Contract.

Jesse H. Wright
Jesse H. Wright

Subscribed and sworn to before me by the said Jesse H. Wright on this 4th day of September, 1984.

Betty Greenfield
Notary Public in and for the State of Iowa

BETTY GREENFIELD
09-22-86

Compared

FILED NO 373
BOOK 118 PAGE 168
1984 SEP -6 PM 3:33
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $15.00

IND. ✓
REC. ✓
PAGE ✓

IOWA STATE BAR ASSOCIATION
Official Form No. 8 (Trade-Mark Regis' ', State of Iowa, 1967)

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
9:15 AM
JUN 12 1984

TO: DENNIS B. HAGEN, SR. and CATHERINE R. HAGEN

You and each of you are hereby notified:

(1) That the written contract dated January 20, 1978, and executed by JESSE H. WRIGHT and ETHEL M. WRIGHT, husband and wife,

as Vendors and DENNIS B. HAGEN SR. & CATHERINE R. HAGEN

as Vendees

for the sale of the following described real estate:

Commencing at the Southwest corner of the Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty-seven (27), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., thence East 568 feet, thence North 287 feet, thence West 568 feet, thence South 287 feet to the point of beginning.

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

(a) $500 due on or before April 20, 1978, has not been paid	$500.00
(b) $50 due on or before February 1, 1982, has not been paid.	50.00
(c) $125 due on or before March 1, 1982, and $125 due on or before the first day of each month thereafter until June 1, 1984, (d) have not been paid. These payments total $3,500.	3,500.00
Total	$4,050.00

(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.

Jesse H. Wright, Sr.

Ethel M. Wright

Vendors (or Successors in Interest)

CHAPTER 656
CODE OF IOWA

WEBSTER, JORDAN, OLIVER & WALTERS
By G. Stephen Walters
Their Attorney—
Address: Farmers & Merchants Bank Bldg.
P.O. Box 230, Winterset, IA 50273

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.

	Date of Service	Place of Service

If service by publication see footnote on first page and determine what constitutes an adequate return.

RETURN OF SERVICE—Personal

STATE of Iowa,

County of Madison } ss.

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

Persons Served	Day	Month	Year	City, Town or Township	County	State
Dennis B. Hagen, Sr.	12th	June	1984	Jackson	Madison	Iowa

Sheriff Paul D. Welch
Madison County
220 N. 1st Ave.
Winterset, IA 50273
Phone 515-462-3575

L. Zeutenhorst, Deputy

Subscribed in my presence and sworn to before me by said affiant this_____day of_____, 19____.

_____

_____, Notary Public in and for said County and State.

FEES

Service - - - - - - $ 9.00
Copies - - - - - - $_____
Mileage - - - - - - $ 5.76
Total - - - - - - $ ~~14.76~~

06134
Fees Rd. to Treas
by Deputy
Atty Gen.

RETURN OF SERVICE—Leaving Copy

STATE OF IOWA,

County of Madison } ss.

The undersigned, being first duly sworn, upon oath deposes and states that on the 12th day of June, 19 84 he served the notice on the obverse side hereof on Catherine R. Hagen at ~~his~~ her usual dwelling house or usual place of abode in the ~~City, Town~~ or Township of ~~Jackson~~ Madison in _____ County, Iowa, and which place was not a rooming house, hotel, club or apartment building, by there delivering a copy thereof to Dennis B. Hagen, Sr. a person residing therein who was then at least eighteen years old.

Sheriff Paul D. Welch
Madison County
~~220 N. 1st Ave.~~
Winterset, IA
Phone 515-4

L. Zeutenhorst

Subscribed in my presence and sworn to before me by said affiant this_____day of_____, 19____.

_____

_____, Notary Public in and for said County and State.

Note: For service by publication, see Code Section 656.3.

Note: For proof and record of service, see Code Section 656.5.