



Document 2014 850

Book 2014 Page 850 Type 03 014 Pages 8

Date 4/14/2014 Time 8:25 AM

Rec Amt \$42.00 Aud Amt \$5.00

INDX ✓
ANNO ✓
SCAN

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

**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)

Lisa Akre, 4201 Westown Parkway, Ste. 250, West Des Moines, IA 50266, Phone: (515) 283-1801

Taxpayer Information: (name and complete address)

Alan M. Brose and Kellie J. Brose, 525 S. Atkinson, Truro IA 50257

✓ **Return Document To:** (name and complete address)

Alan M. Brose and Kellie J. Brose, ~~525 S. Atkinson, Truro IA 50257~~

1850 Benson St. Osceola, IA 50213

Grantors:

~~Lisa Akre~~ Alan M. and Kellie J. Brose

Grantees: Kevin L. and Andrea M. Goering

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 POLK

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 on March 13, 2014, 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 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) 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(s') rights in such contract in accordance with Code Chapter 656.

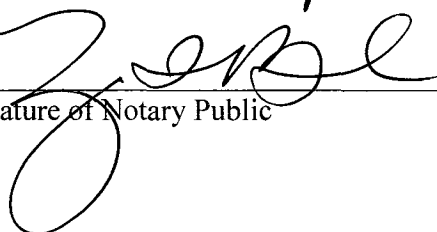
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled 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 canceled and is of no force and effect whatsoever.

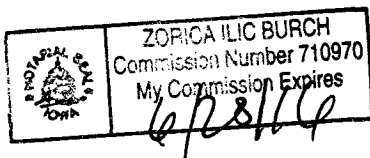


Lisa Akre, Affiant

Signed and sworn to (or affirmed) before me this 14th day of April, 2014, by Lisa Akre.



Signature of Notary Public



**NOTICE OF FORFEITURE
OF REAL ESTATE CONTRACT**

TO: Kevin L. Goering, Andrea M. Goering, Chris Brown, Stacey Brown, and all unknown occupants of 525 S. Atkinson, Truro IA 50257

You and each of you are hereby notified:

(1) The written contract dated 23rd day of August, 2012, and executed by Alan M. Brose and Kellie J. Brose as vendors, and Kevin L. Goering and Andrea M. Goering as vendees, recorded August 24, 2012; in the office of the Madison County Recorder, recorded as document reference number Book 2012 Page 2487, for the sale of the following described real estate:

**The South Forty-nine and one-half (49 1/2) feet of Lot Two and the North
Thirty-three (33) feet of Lot 3 in Block 3 in the Atkinson Addition to the
Original Town of Truro, Madison County, Iowa.**

Recorded as document reference number Book 2012 Page 2487 of the Recorders office of Madison County, Iowa

has not been complied with in the following particulars:

(a) January 2014 monthly installment payment	\$510.00
(b) February 2014 monthly installment payment	\$510.00
(c) March 2014 monthly installment payment	\$510.00
(d) September 2013 tax installment	\$806.00
(e) March 2014 tax installment	\$806.00
(f) Homeowner's Insurance	\$636.00

Total \$3,778.00

(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 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.

Alan M. Brose and Kellie J. Brose
Vendors

By 
Zorica Hic Burch, Attorney

ICIS PIN No: AT0003801

Lisa Akre, Attorney

ICIS PIN No: 0011579

Address: 4201 Westown Parkway, Ste.
250, West Des Moines, IA 50266

CASE NO.: NOTICE OF FORFEITURE OF RE CON
AFFIDAVIT OF SERVICE

ALAN M BROSE AND KELLI J BROSE

Plaintiff/Petitioner,

vs.

**KEVIN L GOERING; ANDREA M
GOERING; CHRIS BROWN, STACEY
BROWN, and ALL UNKNOWN
OCCUPANTS OF 525 S ATKINSON,
TRURO, IA 50257**

Defendant/Respondent.

Received by **Absolute Serving** on **03/13/2014** to be served upon:

CHRIS BROWN

STATE OF IOWA
COUNTY OF POLK ss.

I, **Julia McMahon**, being duly sworn on oath, and over the age of 18 years, do hereby depose and state that:

On **03/13/2014** at **07:20 PM**, I served the within **NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT** on **CHRIS BROWN** at **525 S ATKINSON , Truro, IA 50257** in the manner indicated below:

I served the same at the above person's dwelling house or usual place of abode(which place was not a rooming house, hotel, club, or apartment building) by substitute service, delivering a copy to the individual named below, which is a person residing therein who was then at least 18 years old.:

NAME: **STACEY BROWN** TITLE/RELATION: **SPOUSE**

Fee For Service: **\$10.00**

Sworn to and subscribed before me on this
14th day of March, 2014

by an affiant who is personally known to
me or produced identification.

NOTARY PUBLIC



SANDRA K ROBERTS
Commission Number 733947
My Commission Expires
4/12/2014

X

Julia McMahon

Independent Contractor for:

Absolute Serving
680 18th Street
Des Moines, IA 50314

Atty File#: **NOTICE OF FORFEITURE** - Our File# **13162**

CASE NO.: NOTICE OF FORFEITURE OF RE CON
AFFIDAVIT OF SERVICE

ALAN M BROSE AND KELLI J BROSE

Plaintiff/Petitioner,

vs.

**KEVIN L GOERING; ANDREA M
GOERING; CHRIS BROWN, STACEY
BROWN, and ALL UNKNOWN
OCCUPANTS OF 525 S ATKINSON,
TRURO, IA 50257**

Defendant/Respondent.

Received by **Absolute Serving** on **03/13/2014** to be served upon:

STACEY BROWN

STATE OF IOWA
COUNTY OF POLK ss.

I, **Julia McMahon**, being duly sworn on oath, and over the age of 18 years, do hereby depose and state that:

On **03/13/2014 at 07:20 PM**, I served the within **NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT** on **STACEY BROWN** at **525 S ATKINSON , Truro, IA 50257** in the manner indicated below:

INDIVIDUAL SERVICE: I served the same by delivering a copy thereof to the above person personally.

Fee For Service: **\$75.00**

Sworn to and subscribed before me on this
14th day of March, 2014

by an affiant who is personally known to
me or produced identification.

NOTARY PUBLIC



SANDRA K ROBERTS
Commission Number 733947
My Commission Expires
4/12/2014

X

Julia McMahon

Independent Contractor for:

Absolute Serving
680 18th Street
Des Moines, IA 50314

Atty File#: **NOTICE OF FORFEITURE** - Our File# **13163**

CASE NO.: NOTICE OF FORFEITURE OF RE CON
AFFIDAVIT OF SERVICE

ALAN M BROSE AND KELLI J BROSE

Plaintiff/Petitioner,

vs.

**KEVIN L GOERING; ANDREA M
GOERING; CHRIS BROWN, STACEY
BROWN, and ALL UNKNOWN
OCCUPANTS OF 525 S ATKINSON,
TRURO, IA 50257**

Defendant/Respondent.

Received by **Absolute Serving** on **03/13/2014** to be served upon:

ALL UNKNOWN OCCUPANTS OF 525 S ATKINSON, TRURO, IA 50257

STATE OF IOWA
COUNTY OF POLK ss.

I, **Julia McMahon**, being duly sworn on oath, and over the age of 18 years, do hereby depose and state that:

On **03/13/2014** at **07:20 PM**, I served the within **NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT** on **ALL UNKNOWN OCCUPANTS OF 525 S ATKINSON, TRURO, IA 50257** at **525 S ATKINSON , Truro, IA 50257** in the manner indicated below:

I served the same at the above person's dwelling house or usual place of abode(which place was not a rooming house, hotel, club, or apartment building) by substitute service, delivering a copy to the individual named below, which is a person residing therein who was then at least 18 years old.:

NAME: **STACEY BROWN** TITLE/RELATION: **OCCUPANT**

Fee For Service: **\$10.00**

Sworn to and subscribed before me on this
14th day of March, 2014

by an affiant who is personally known to
me or produced identification.

NOTARY PUBLIC



SANDRA K ROBERTS
Commission Number 733947
My Commission Expires
4/2/2014

X

Julia McMahon

Independent Contractor for:

Absolute Serving
680 18th Street
Des Moines, IA 50314

Atty File#: **NOTICE OF FORFEITURE** - Our File# **13164**

CASE NO.: NOTICE OF FORFEITURE OF RE CON
AFFIDAVIT OF SERVICE

ALAN M BROSE AND KELLI J BROSE

Plaintiff/Petitioner,

vs.

**KEVIN L GOERING; ANDREA M
GOERING; CHRIS BROWN, STACEY
BROWN, and ALL UNKNOWN
OCCUPANTS OF 525 S ATKINSON,
TRURO, IA 50257**

Defendant/Respondent.

Received by **Absolute Serving** on **03/13/2014** to be served upon:

KEVIN L GOERING

STATE OF IOWA
COUNTY OF POLK ss.

I, **Julia McMahon**, being duly sworn on oath, and over the age of 18 years, do hereby depose and state that:

On **03/13/2014** at **07:50 PM**, I served the within **NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT** on **KEVIN L GOERING** at **311 W MARKET STREET , ST CHARLES, IA 50240** in the manner indicated below:

I served the same at the above person's dwelling house or usual place of abode(which place was not a rooming house, hotel, club, or apartment building) by substitute service, delivering a copy to the individual named below, which is a person residing therein who was then at least 18 years old.:

NAME: **ANDREA M GOERING** TITLE/RELATION: **SPOUSE**

Fee For Service: **\$10.00**

Sworn to and subscribed before me on this
14th day of March, 2014

by an affiant who is personally known to
me or produced identification.

NOTARY PUBLIC



SANDRA K ROBERTS
Commission Number 733947
My Commission Expires
4/12/2014

X

Julia McMahon

Independent Contractor for:

Absolute Serving
680 18th Street
Des Moines, IA 50314

Atty File#: **NOTICE OF FORFEITURE** - Our File# **13165**

CASE NO.: NOTICE OF FORFEITURE OF RE CON
AFFIDAVIT OF SERVICE

ALAN M BROSE AND KELLI J BROSE

Plaintiff/Petitioner,

vs.

**KEVIN L GOERING; ANDREA M
GOERING; CHRIS BROWN, STACEY
BROWN, and ALL UNKNOWN
OCCUPANTS OF 525 S ATKINSON,
TRURO, IA 50257**

Defendant/Respondent.

Received by **Absolute Serving** on **03/13/2014** to be served upon:

ANDREA M GOERING

STATE OF IOWA
COUNTY OF POLK ss.

I, **Julia McMahon**, being duly sworn on oath, and over the age of 18 years, do hereby depose and state that:

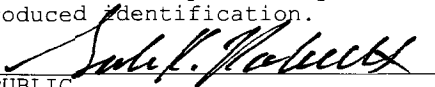
On **03/13/2014** at **07:50 PM**, I served the within **NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT** on **ANDREA M GOERING** at **311 W MARKET STREET , ST CHARLES, IA 50240** in the manner indicated below:

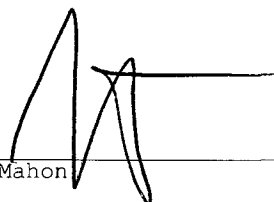
INDIVIDUAL SERVICE: I served the same by delivering a copy thereof to the above person personally.

Fee For Service: **\$75.00**

Sworn to and subscribed before me on this
14th day of March, 2014

by an affiant who is personally known to
me or produced identification.


NOTARY PUBLIC

X
Julia McMahon 

Independent Contractor for:

Absolute Serving
680 18th Street
Des Moines, IA 50314

Atty File#: **NOTICE OF FORFEITURE** - Our File# **13166**



SANDRA K ROBERTS
Commission Number 733947
My Commission Expires
4/12/2014