



Document 2016 3591

Book 2016 Page 3591 Type 03 014 Pages 4

Date 11/28/2016 Time 1:34:15PM

Rec Amt \$22.00 Aud Amt \$5.00

INDX
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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)

James W. Mailander, 694 Main Street, P.O. Box 305, Anita, IA 50020, Phone: (712)
762-3844

Taxpayer Information: (Name and complete address)

Business Assistance Corporation, 1459 White Pole Road, Adair, Iowa 50002

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

James W. Mailander, 694 Main Street, P.O. Box 305, Anita, IA 50020

Grantors:

Business Assistance Corporation

Grantees:

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 CASS, ss:

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.

* The Notice of Forfeiture of Real Estate Contract was served by the Adair County Sheriff's Office on October 25, 2016, as shown on the attached Return of Service.

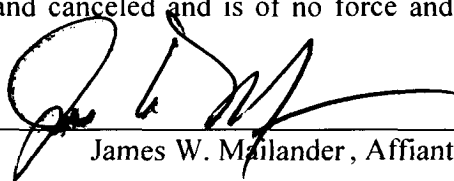
That, as shown by such returns, more than 30 days have passed since the service of such Notice.

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 vendor(s) ~~has~~/have retaken possession of said real estate following the expiration of said 30 day period.

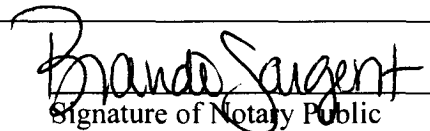
That the Real Estate Contract mentioned in said Notice specifically provides for the forfeiture of the vendee's(s') rights in such contract in accordance with Code Chapter 656.

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 canceled and is of no force and effect whatsoever.


James W. Mailander, Affiant

Signed and sworn to (or affirmed) before me on November 28, 2016, by James W. Mailander


Signature of Notary Public



*The space as indicated above, is reserved to conveniently "tailor" for special situations and to set forth facts to sustain notice by publication or for both of such purposes. See Section 656.3; R.C.P. 60, 60.1 and 62.



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Kenneth D. Larsen and Katherien Ann Larsen

You and each of you are hereby notified:

- The written contract dated April 15, 2010, and executed by Business Assistance Corporation as vendors, and Kenneth D. Larsen and Katherien Ann Larsen as vendees, recorded on May 7, 2010, in the office of the Madison County Recorder, recorded as document reference number Book 2010, Page 1049, for the sale of the following described real estate:

Lots Three (3) and Four (4) in Block One (1) and a tract of land commencing at the Southwest Corner of Block One (1) of Jenkins Addition to the Town of Winterset, Iowa, and running thence East 132 feet, thence South 15 feet, thence West 132 feet, thence North 15 feet, to the place of beginning, all in Winterset, Madison County, Iowa.

Also known as 222 W. Summit Street, Winterset, Iowa 50273

has not been complied with in the following particulars:

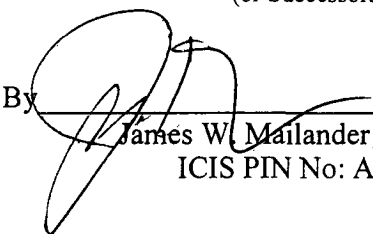
(a) All past due payments	\$ <u>29,959.33</u>
(b)	\$ _____
(c)	\$ _____
(d)	\$ _____
Total	\$ <u>29,959.33</u>

- 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.
- The amount of attorney fees claimed by the Vendors pursuant to Section 656.7 of the Code of Iowa is \$ 0.00 (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

Business Assistance Corporation

By: Susan R. Schafer, Secretary/Treasurer, Vendor

By: Timothy A. Schafer, President, Vendor
(or Successors in Interest)

By: 
James W. Mailander, Attorney
ICIS PIN No: AT0004942

Address

Chapter 656. The Iowa 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.

Return of Substitute Service
IN THE IOWA OFFICIAL NOTICE COURT IN AND FOR COUNTY

BUSINESS ASSISTANCE CORPORATION
VS
KENNETH D LARSEN AND KATHERIEN ANN LARSEN

Case Number: **20161024-1**
Civil Number: **16-000347**
Date Received: **10/24/2016 @ 14:42**
Date Printed: **10/27/2016 @ 8:47**

STATE OF IOWA
ADAIR COUNTY

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I hereby certify that I served a copy of:
NOTICE OF FORFEITURE OF REAL ESTATE

To: LARSEN, KENNETH D & KATHERIEN ANN at 106 SE LINN ST, GREENFIELD, IA 50849
on **10/25/2016 @ 19:45** Type of Service: **DWELLING/SUBSTITUTE**

By substitute service on:

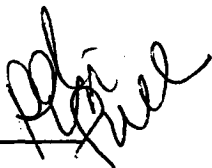
LARSEN, KATHERIEN A at 106 SE LINN ST, GREENFIELD, IA
Relationship/Title: **SPOUSE** Legal Age:

Remarks: **KATHERIEN ANN LARSEN SERVED BY PERSONAL SERVICE; KENNETH D LARSEN SERVED BY
SUBSTITUTE SERVICE TO KATHERIEN ANN LARSEN**

Case Notes:

Fees:

Service Fees:	25.00
Mileage:	1.00
Copies:	0.00
Total:	26.00



JEFF VANDEWATER, SHERIFF
ADAIR COUNTY

By: /s/ MICHAEL ALGREEN

Paid By:
Date:
Check #: