IOWA STATE BAR ASSOCIATION
Official Form No. 8A (Trade-Mark Registered, State of Iowa, 1969)

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

AFFIDAVIT IN SUPPORT OF FORFEITURE OF REAL ESTATE CONTRACT

TO WHOM IT MAY CONCERN:

STATE OF IOWA }
COUNTY OF POLK } 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.

COMPARED
FILED NO. 480
BOOK 29 PAGE 247
1971 APR -6 AM 10. 06
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
2 pgs.
Fee $2 50
I.M.M.

That, as shown by such returns, more than 30 days have passed since the completed service by publication 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); 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 the Real Estate Contract mentioned in said Notice specifically provides for the forfeiture of the vendee(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.

William M. Carron
William M. Carron, Attorney for Peru Methodist Church ~~Affiant~~

Subscribed in my presence and sworn to (or affirmed) before me by the said Affiant this 5th day of April, 1971.

JANE KOTHENBEUTEL
NOTARY PUBLIC

Jane Kothenbeutel
Jane Kothenbeutel Notary Public in and for said County.

The space, as indicated above, is reserved to conveniently "letter" 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. Suggested: That Personal Service could not and cannot be made upon _____ and _____ in the State of Iowa; that on the _____ day of _____, 19____, a copy of said Notice was sent by ordinary mail addressed to said (party) (parties) at their last known mailing address, to-wit: _____

Code Chapter 656

RECORDER'S CERTIFICATE

STATE OF IOWA, COUNTY OF Madison, ss:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit together with Notice and returns thereto attached was filed in the said Recorder's Office by the party or parties causing said Notice to be served as shown by the Notice, on the 6 day of April, 19 71

Mary E. Welty
Recorder

MISC. RECORD 29, PAGE 247

Affidavit of Publication

STATE OF IOWA
Madison County
} ss.

John Gorman BEING DULY SWORN

SAYS HE IS publisher OF THE

WINTERSET MADISONIAN, a _____ weekly newspaper of general circulation, published in Winterset, Iowa, and that the notice, a copy of which is annexed and made part hereof, was correctly published in said

newspaper for the period of three consecutive weeks

the last publication thereof being on the 3d day of

March, 19 71

John Gorman

Subscribed and sworn to before me this 4th day

of March, 1971.

Paul J. McGuire
NOTARY PUBLIC
In and for Madison County

Fee $ 24.44

NOTICE OF FORFEITURE
OF
REAL ESTATE CONTRACT
TO: ROBERT D. SMITH
Peru, Madison County, Iowa
and
Des Moines, Polk County, Iowa

YOU ARE HEREBY NOTIFIED:

1. That the written contract dated February 28, 1964, and executed by Peru Methodist Church of the County of Madison and State of Iowa, as vendor, and Robert D. Smith, as vendee, for the sale of the following described real estate:

Out Lot Thirty-five (35) of the irregular survey of the Northeast Quarter (¼) of the Northwest Quarter (¼) of Section Eleven (11) in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa,

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

a. Failure to make any of the required payments specified in said contract

b. Abandonment of said described real estate and premises.

2. That said contract will stand forfeited and cancelled as by its terms and provisions it may be, unless the party in default within thirty 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.

PERU METHODIST
CHURCH
(now known as Peru United Methodist church)
Vendor
By William M. Carron
Attorney for Vendor
719 Empire Building
Des Moines, Iowa 50309
Phone 288 0251 34-36