



Document 2018 1155

Book 2018 Page 1155 Type 03 014 Pages 4

Date 4/13/2018 Time 12:26:25PM

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)

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

Taxpayer Information: (Name and complete address)

Business Assistance Corporation, 1459 Hwy 925, PO Box 518, Adair, Iowa 50002

Return Document To: (Name and complete address)

James W. Mailander, 694 Main Street, Anita, IA 50020

Grantors:

Business Assistance Corporation

Grantees:

Legal description: See Page 2

Document or instrument number of previously recorded documents:



NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Ron Ruggles and Jessica Ruggles, 315 W. Benton, Winterset, Iowa 50273

You and each of you are hereby notified:

- The written contract dated April 24, 2010, and executed by Business Assistance Corporation as vendors, and Ron Ruggles and Jessica Ruggles as vendees, recorded on April 26, 2010, in the office of the Madison County Recorder, recorded as document reference number Book 2010, Page 920, for the sale of the following described real estate:

Lot 6, Block 17, Pitzer and Knights of the Original Town of Winterset, Madison County, Iowa.

Ad



has not been complied with in the following particulars:

(a) Past Due Payments	\$ <u>50,895.96</u>
(b) Property Taxes and Insurance	\$ <u>13,663.38</u>
(c)	\$ _____
(d)	\$ _____
Total	\$ <u>64,559.34</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 \$ _____ (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

_____, Vendor

Timothy Schafer
Timothy Schafer, Business Assistance Corporation, Vendor
(or Successors in Interest)

By James W. Mailander
James W. Mailander, Attorney
ICIS PIN No: AT0004942
694 Main Street, PO Box 305, Anita,
Iowa 50020
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.



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.

*

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.

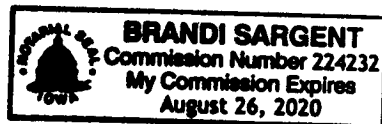
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled 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, Attorney for Business Assistance Corporation, Affiant

Signed and sworn to (or affirmed) before me on 3-22-18, 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.

STATE OF IOWA

SS

MADISON COUNTY

AFFIDAVIT OF PUBLICATIONS

TED GORMAN being duly sworn says he is publisher of VINTERSET MADISONIAN a once weekly paper of general circulation, published in Winterset, Iowa, and that he notice, a copy which is annexed and made part hereof was correctly published in said paper.

Notice Of Forfeiture Of Real Estate Contract

of Ron Ruggles and Jessica Ruggles, 315 W. Benton St., Winterset, Iowa 50273
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(a) Past Due Payment \$50,895.96
(b) Property Taxes and Insurance \$13,663.38
Total \$64,559.34

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 \$ (not to exceed \$50.00). Payment of the attorney fees is not required to comply with this notice in order to prevent forfeiture.

for the period 3 consecutive weeks, the last publication thereof being

on the 14 day of March 20 18

Ted Gorman

Subscribed and sworn to before me this

15 day of March 20 18

Cleota Tapken

NOTARY PUBLIC
In and for Madison County

Vendor Timothy Schafer, Business Assistance Corporation, Vendor (or Successors in Interest) By James W. Mailander, Attorney ICIS PIN No: AT0004942 694 Main Street, PO Box 305 Anita, Iowa 50020

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. 27-29

Fee 26.40
\$ 17.75
17.75
41.90

