



Book 2018 Page 3473

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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE 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)

George Davis, 225 1st Avenue East, Dyersville, Ia 52040, Phone: (563) 875-9112

Taxpayer Information: (Name and complete address)

GD (X) George Davis, 225 1st Avenue East, Dyersville, Iowa 52040

Return Document To: (Name and complete address)

George Davis, 225 1st Avenue East, Dyersville, Ia 52040

Grantors:

George Davis
225 1st Avenue East
Dyersville, Iowa 52040

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 DELAWARE, 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.

* Brian Covington

102 Julian Avenue, P O Box 43
Hopkinton, Ia 52237

**(Attached is the Certified Mail Receipt
and acknowledgement of receipt signed by
Brian Covington)**

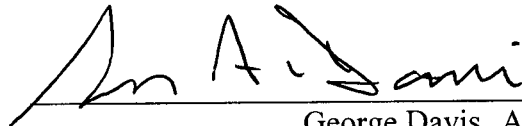
That, as shown by such returns, more than 30 days have passed since the service of such Notice.

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.

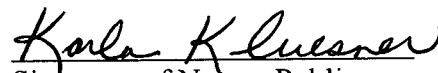
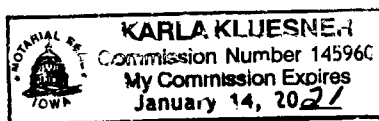
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled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



George Davis, Affiant

Signed and sworn to (or affirmed) before me on December 5, 2018, by George Davis


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: Bryan Covington, 102 Julian Avenue, P O Box 43, Hopkinton, Iowa 52237

You and each of you are hereby notified:

1. The written contract dated May 10, 2014, and executed by Casey C. Supple
as vendors, and Bryan Covington
as vendees, recorded on May 15, 2014,
in the office of the Delaware County Recorder, recorded as document reference
number Book 2014, Page 1104, for the sale of the following described real estate:
See attached Schedule A

has not been complied with in the following particulars:

(a) City of Hopkinton water/sewer	\$ <u>1,592.09</u>
(b) Delaware County Treasurer	\$ <u>179.00</u>
(c) Delaware County Treasurer	\$ <u>235.00</u>
(d) See Addendum 1	\$ <u> </u>
Total	\$ <u>4,839.26</u>

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.

_____, Vendor

Ally Supple, Executor of the Casey Supple Estate, Vendor
(or Successors in Interest)

By

George Davis
George Davis, Attorney
ICIS PIN No: AT0001927

225 1st Avenue East, Dyersville,
Iowa 52040

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.

ACKNOWLEDGMENT OF SERVICE

The undersigned hereby acknowledge due, timely and legal service of this notice, and acknowledge receipt of a copy at the time and place set opposite their respective names.

	Date of Service	Place of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

MEMO AND AFFIDAVIT OF SERVICE

STATE OF IOWA, COUNTY OF DELAWARE

The undersigned, first being duly sworn, upon oath deposes and states that he/she served the Notice of Forfeiture 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:

Name	Date	City and County	State
Bryan Covington		Hopkinton, Delaware	Ia

_____, Affiant

Signed and sworn to (or affirmed) before me on _____, by _____.

Signature of Notary Public

SCHEDULE A

Lot Twenty (20), except the South one hundred sixty eight (168) feet thereof, and Lot Twenty One (21), except the South one hundred sixty eight (168) feet thereof, and the West one-half ($W \frac{1}{2}$) of Lot Twenty Two (22), except the South one hundred sixty eight (168) feet thereof, and the West one-half ($W \frac{1}{2}$) of Lot Thirty Seven (37) and all of Lots Thirty Eight (38) and Thirty Nine (39), all in J. T. Williamson's Addition to Hopkinton, Iowa, according to plat recorded in Book 19 L.D., Page 274; also the alley running East and West between the West one-half ($W \frac{1}{2}$) of Lot Thirty Seven (37) and Lots Thirty Eight (38) and Thirty Nine (39) on the North and the West one-half ($W \frac{1}{2}$) of Lot Twenty Two (22) and Lots Twenty One (21) and Twenty (20) on the South, subject to easements of record

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY																	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature  ☐ Agent ☒ Addressee																	
1. Article Addressed to: Brian Covington 102 Julian, Box 43 Hopkinton, Iowa 52237		B. Received by (Printed Name) Brian Covington	C. Date of Delivery 10-12-18																
2. Article Addressed to: Brian Covington 102 Julian, Box 43 Hopkinton, Iowa 52237		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No																	
3. Article Number (Transfer from service label) 7018 0360 0001 1765 2007		3. Service Type <table border="0"> <tr> <td>☐ Adult Signature</td> <td>☐ Priority Mail Express®</td> </tr> <tr> <td>☐ Adult Signature Restricted Delivery</td> <td>☐ Registered Mail™</td> </tr> <tr> <td>☒ Certified Mail®</td> <td>☐ Registered Mail Restricted Delivery</td> </tr> <tr> <td>☐ Certified Mail Restricted Delivery</td> <td>☐ Return Receipt for Merchandise</td> </tr> <tr> <td>☐ Collect on Delivery</td> <td>☐ Signature Confirmation™</td> </tr> <tr> <td>☐ Collect on Delivery Restricted Delivery</td> <td>☐ Signature Confirmation Restricted Delivery</td> </tr> <tr> <td>☐ Insured Mail</td> <td></td> </tr> <tr> <td>☐ Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>		☐ Adult Signature	☐ Priority Mail Express®	☐ Adult Signature Restricted Delivery	☐ Registered Mail™	☒ Certified Mail®	☐ Registered Mail Restricted Delivery	☐ Certified Mail Restricted Delivery	☐ Return Receipt for Merchandise	☐ Collect on Delivery	☐ Signature Confirmation™	☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery	☐ Insured Mail		☐ Insured Mail Restricted Delivery (over \$500)	
☐ Adult Signature	☐ Priority Mail Express®																		
☐ Adult Signature Restricted Delivery	☐ Registered Mail™																		
☒ Certified Mail®	☐ Registered Mail Restricted Delivery																		
☐ Certified Mail Restricted Delivery	☐ Return Receipt for Merchandise																		
☐ Collect on Delivery	☐ Signature Confirmation™																		
☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery																		
☐ Insured Mail																			
☐ Insured Mail Restricted Delivery (over \$500)																			



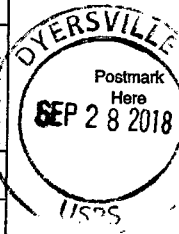
9590 9402 4221 8121 4498 80

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

7018 0360 0001 1765 2007

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ™.	
OFFICIAL USE	
Certified Mail Fee	\$ 3.45
Extra Services & Fees (check box, add fee as appropriate)	
☒ Return Receipt (hardcopy)	\$ 2.75
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$ 6.88
Total Postage and Fees	\$ 6.88
Sent To Brian Covington Street and Apt. No., or PO Box No. 102 Julian Avenue, P O Box 43 City, State, ZIP+4® Hopkinton, Iowa 52237	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



Addendum

Addendum 1

- a. Delinquent payments
- b. 2,728.40

- a. Delinquent interest
- b. 104.77

Supple to Covington Real Estate Contract
Delinquent Amounts
September 28, 2018

<u>Payment Date</u>	<u>Paid</u>	<u>Due</u>	<u>Cumulative Delinquent</u>	<u>Delinquent Per Month</u>	<u>Delinquent Interest Cummulative</u>
January 1, 2018	572.50	494.10	-78.40		
February, 1 2018	343.50	494.10	72.20	72.20	7.58
March, 1 2018	229.00	494.10	337.30	265.10	23.86
April, 1 2018	229.00	494.10	602.40	265.10	19.88
May, 1 2018	344.50	494.10	752.00	149.60	8.98
June, 1 2018		494.10	1,246.10	494.10	22.23
July, 1 2018		494.10	1,740.20	494.10	14.82
August, 1 2018		494.10	2,234.30	494.10	7.41
September, 1 2018		494.10	2,728.40	494.10	
				2,728.40	104.77

First Paid: **235.00** Second Paid: **0.00**

Parcel Number
000610000407500

County:Delaware Tax Year:2018

Tax Type:Special Assessment

Certificate 00000

Owner Name: Covington, Bryan

Property 102 JULIAN AVE NE
Address: HOPKINTON ,IA

Legal: J.T.WILLIAMSON'S ADDW 1/2 LT 37 E 1/2 LT 38 & N 30'
W 1/2 LT 22 & N 30'

First Tax: **1,587.09**

Penalty/Interest: **5.00**

First Paid: **1,592.09** Second Paid: **0.00**

Parcel Number
000610000406410

County:Delaware Tax Year:2018

Tax Type:Real Estate

Certificate 00000

Owner Name: Covington, Bryan

Property 102 JULIAN AVE
Address: HOPKINTON ,IA

Legal: J.T.WILLIAMSON'S ADD W 1/2 LT 38, ALL LT 39 & LTS
20 & W1/2 LT 21EX S 168'

First Tax: **179.00**

Penalty/Interest: **0.00**

First Paid: **179.00** Second Paid: **0.00**

Transaction Details

Payment Details for Order ID 516124

Order Details

Order Id:	516124	Status:	Success
Paid On:	2018-09-13 13:38:03 County Amount Paid: 2,006.09		
Payor Name:	Allison Supple	Service Delivery Fee:	0.40
Payment Method:	ECheck	Total Paid:	2,006.49

Parcel Number
000610000407500

County:Delaware Tax Year:2018

Tax Type:Real Estate

Certificate 00000

Owner Name: Covington, Bryan

Property Address: 102 JULIAN AVE NE
HOPKINTON ,IA

Legal: J.T.WILLIAMSON'S ADDW 1/2 LT 37 E 1/2 LT 38 & N 30'
W 1/2 LT 22 & N 30'

First Tax: **235.00**

Penalty/Interest: **0.00**

Transaction Details

Payment Details for Order ID 516124

Order Details			
Order Id:	516124	Status:	Success
Paid On:	2018-09-13 13:38:03	County Amount Paid:	2,006.09
Payor Name:	Allison Supple	Service Delivery Fee:	0.40
Payment Method:	ECHECK	Total Paid:	2,006.49

Parcel Number	County: Delaware	Tax Year: 2018	Tax Type: Real Estate
000610000407500			
Certificate 00000	Owner Name:	Covington, Bryan	
	Property Address:	102 JULIAN AVE NE HOPKINTON, IA	
	Legal:	J.T. WILLIAMSON'S ADDW 1/2 LT 37 E 1/2 LT 38 & N 30' W 1/2 LT 22 & N 30'	
	First Tax:	235.00	
	Penalty/Interest:	0.00	
	First Paid:	235.00	Second Paid: 0.00

Parcel Number	County: Delaware	Tax Year: 2018	Tax Type: Special Assessment
000610000407500			
Certificate 00000	Owner Name:	Covington, Bryan	
	Property Address:	102 JULIAN AVE NE HOPKINTON, IA	
	Legal:	J.T. WILLIAMSON'S ADDW 1/2 LT 37 E 1/2 LT 38 & N 30' W 1/2 LT 22 & N 30'	
	First Tax:	1,587.09	
	Penalty/Interest:	5.00	
	First Paid:	1,592.09	Second Paid: 0.00

Parcel Number	County: Delaware	Tax Year: 2018	Tax Type: Real Estate
000610000406410			
Certificate 00000	Owner Name:	Covington, Bryan	
	Property Address:	102 JULIAN AVE HOPKINTON, IA	
	Legal:	J.T. WILLIAMSON'S ADD W 1/2 LT 38, ALL LT 39 & LTS 20 & W 1/2 LT 21 EX S 168'	
	First Tax:	179.00	
	Penalty/Interest:	0.00	
	First Paid:	179.00	Second Paid: 0.00