



Book 2019 Page 460

2019 460 Type 04 004 Pages 6
Date 3/04/2019 Time 10:56:47AM
Rec Amt \$32.00 Aud Amt \$5.00

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)

WJC John C. Compton, 116½ W. Mission St. , Box 8, Strawberry Point, IA 52076, Phone: (563)
933-4334

Taxpayer Information: (Name and complete address)

Marcia L. Ingles, 24815 Horseshoe Road, Edgewood, IA 52042

Return Document To: (Name and complete address)

John C. Compton, 116½ W. Mission St. , Box 8, Strawberry Point, IA 52076

Grantors:

Marcia L. Ingles

Grantees:

Brandon Michael Schaefer
Pandora M. Ingles

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 CLAYTON, 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.

* Brandon Michael Schaefer served December 29, 2018

Pandora M. Ingles served and acknowledged December 31, 2018

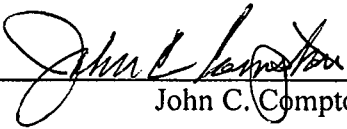
That, as shown by such returns, more than 30 days have passed since the service of such Notice.

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.

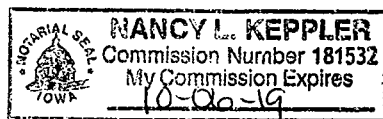
That the Real Estate Contract mentioned in said Notice specifically provides for the forfeiture of the vendee's(s') rights in such contract in accordance with Code Chapter 656.

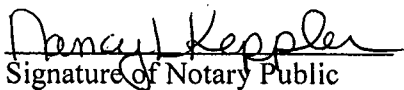
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled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


John C. Compton, Affiant

Signed and sworn to (or affirmed) before me on February 15, 2019, by John C. Compton




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.

Acknowledgement of Service

STATE OF IOWA

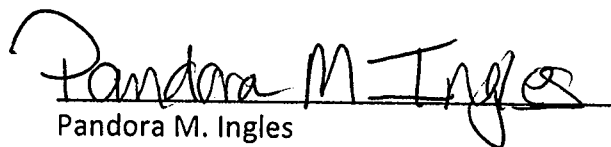
)

)ss:

CLAYTON COUNTY

)

The undersigned Pandora M. Ingles does hereby Acknowledge Receipt of Notice of Forfeiture of Real Estate Contract this 31 day of Dec, 2018.


Pandora M. Ingles

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO: Brandon M. Schaefer a/k/a Brandon Michael Schaefer, 104 W. Harrison Street, Edgewood, IA 52042 and Pandora M. Ingles, 24815 Horseshoe Road, Edgewood, IA 52042.

You and each of you are hereby notified:

(1) The written contract dated October 30, 2017, and executed by Marcia L. Ingles as vendors, and Brandon M. Schaefer and Pandora M. Ingles as vendees, recorded November 3, 2017 ; in the office of the Delaware County Recorder, recorded as document reference number Book 2017, Page 3060, for the sale of the following described real estate:

The West seventeen (17) feet of Lots Four (4), Five (5), Eight (8) and Nine (9) and the East ninety five and five-tenths (95.5) feet of Lots Three (3), Six (6), Seven (7) and Ten (10), all in F. A. Densmore's Third Addition to Edgewood, Iowa, according to plat recorded in Book 1 Plats, Page 117 of the records of Delaware County, Iowa.

Recorded as document reference number Book 2017, Page 3060 of the Records office of Delaware County of Iowa.

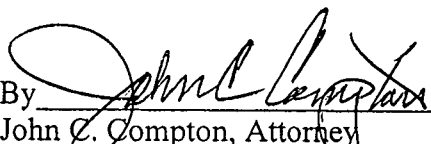
has not been complied with in the following particulars:

(a) Failure to make payments when due (\$592.76)	
August, September, October, November and December	\$2,963.80
(b) Failure to pay share of taxes due September, 2018	\$ 444.66
(c) Failure to insure property (unknown)	amount unknown
Total	\$3,408.46

(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.

Marcia L. Ingles
Vendor(s)

By 
John C. Compton, Attorney
ICIS PIN No: AT0001651

Address: 116½ W. Mission St.,
Strawberry Point, IA 52076

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 Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

MARCIA L. INGLES
VS
BRANDON M SCHAEFER A/K/A BRANDON MICHAEL
SCHAEFER AND PANDORA M INGLES

Case Number: SCHAEFER,BRANDON
Civil Number: 18-000639
Date Received: 12/28/2018 @ 13:09
Date Printed: 12/31/2018 @ 10:46

STATE OF IOWA
DELAWARE COUNTY }

I hereby certify that I served a copy of:
NOTICE OF FORFEITURE OF RE CONTRACT

To: SCHAEFER,BRANDON M at 104 W HARRISON ST EDGEWOOD, IA 52042
on 12/29/2018 @ 10:27 Type of Service: PERSONAL
Remarks:

Fees:

Service Fees:	30.00
Mileage:	16.35
Copies:	0.00
Total:	46.35

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: /S/ DEPUTY ERIC HOLUB

Paid By: qcc
Date: 11/5/19
Check #: 8773

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Marcia L. Ingles
Vendor(s)

By 
John C. Compton, Attorney
ICIS PIN No: AT0001651
Address: 116½ W. Mission St.,
Strawberry Point, IA 52076

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