

Recorded: 12/18/2023 at 1:37:38.0 PM
County Recording Fee: \$32.00
Iowa E-Filing Fee: \$3.60
Combined Fee: \$35.60
Revenue Tax: \$0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 3152

**AFFIDAVIT IN SUPPORT OF FORFEITURE
OF REAL ESTATE CONTRACT
Recorder's Cover Sheet**

Preparer Information: RJ Longmuir, 309 First St. E, Independence, IA 50644, Phone: 319-334-9992

Taxpayer Information: Brad Aulwes, 201 S. Chestnut Street, PO Box 122, Edgewood, IA 52042

Return Document To: RJ Longmuir, 309 First St. E, Independence, IA 50644

Grantors: Brad Aulwes and Jessica Aulwes

Grantees: Megan Chambers and Troy Hoffman

Legal Description: See Page 2

Document or instrument number of previously recorded documents: Book 2019 Page 228



**AFFIDAVIT IN SUPPORT OF FORFEITURE
OF REAL ESTATE CONTRACT**

TO WHOM IT MAY CONCERN: STATE OF IOWA, COUNTY OF DELAWARE

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 parcel of land described as Lincoln Street from the West line of Chestnut Street running West to the East line of Anson Street, in F.A. Densmore's Second Addition to the Town of Edgewood, Iowa, according to plat recorded in Book 1 Plats, Page 113.

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

That the default mentioned in said Notice has 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 vendors 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.

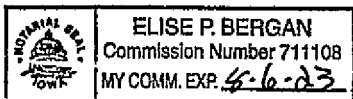
That none of the parties upon whom such Notice of Forfeiture was so served, was at the time of the service of said Notice upon them, or at the time of making this affidavit, in the military service or with the Armed Forces of the United States of America, or are they or any of them in any way entitled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

Brad A. Aulwes *Jessica L. Aulwes*

Jessica Aulwes, Affiant

Signed and sworn to (or affirmed) before me on December 14, 2023, by Jessica Aulwes, and Brad A. Aulwes.



Elise P. Bergan
Signature of Notary Public

Return of Substitute Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

BRAD AND JESSICA AULWES
VS
MEGAN CHAMBERS AND TROY HOFFMAN

Case Number: CHAMBERS/HOFFMAN
Civil Number: 23-000756
Date Received: 11/08/2023 @ 12:27
Date Printed: 11/09/2023 @ 13:03

STATE OF IOWA
DELAWARE COUNTY }

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

To: CHAMBERS,MEGAN at 107 S CHESTNUT ST EDGEWOOD, IA 52042
on 11/09/2023 @ 09:10 Type of Service: DWELLING/SUBSTITUTE

By substitute service on:

TROY HOFFMANN at 107 S CHESTNUT ST EDGEWOOD IA 52042
Relationship/Title: OTHER Legal Age:

Remarks:

Fees:

Service Fees:	30.00
Mileage:	19.65
Copies:	0.00
Total:	49.65

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: ISI DEPUTY B HILLEBRAND

Paid By:
Date:
Check #:

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

BRAD AND JESSICA AULWES
VS
MEGAN CHAMBERS AND TROY HOFFMAN

Case Number: CHAMBERS/HOFFMAN
Civil Number: 23-000756
Date Received: 11/08/2023 @ 12:27
Date Printed: 11/09/2023 @ 13:03

STATE OF IOWA
DELAWARE COUNTY }

I hereby certify that I served a copy of:

NOTICE OF FORFEITURE OF REAL ESTATE CONTRAC

To: HOFFMAN,TROY at 107 S CHESTNUT ST EDGEWOOD, IA 52042
on 11/09/2023 @ 09:10 Type of Service: PERSONAL

Remarks:

Fees:

Service Fees:	0.00
Mileage:	0.00
Copies:	0.00
Total:	0.00

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: IS/ DEPUTY B HILLEBRAND

Paid By:
Date:
Check #:

RECEIVED
SHERIFF'S OFFICE
DELAWARE COUNTY, IA
DATE 11-8-23 TIME 12:24 pm

NOTICE OF FORFEITURE OF REAL ESTATE CONTRACT

TO, Megan Chambers and Troy Hoffman, 107 S, Chestnut Street, Edgewood, IA 52042

You and each of you are hereby notified,

- 1 The written contract dated January 26, 2019, and executed by Brad Aulwes and Jessica Aulwes as vendor(s), and Megan Chambers and Troy Hoffman, as vendees, recorded on February 1, 2019, in the office of the Delaware County Recorder, recorded as document reference number Book 2019 Page 228, for the sale of the following described real estate

That parcel of land described as Lincoln Street from the West line of Chestnut Street running West to the East line of Anson Street, in F A, Densmore's Second Addition to the Town of Edgewood, Iowa, according to plat recorded in Book 1 Plats, Page 113

has not been complied with in the following particulars:

- a) Failure to timely pay property taxes owed to the Delaware County Treasurer such that they are now delinquent. Paragraph 11a,(b)
- 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.

Jessica Aulwes
Jessica Aulwes

Vendor(s)
(or Successors in Interest)

Brad Aulwes
Brad Aulwes

Vendor(s)
(or Successors in Interest)

By R.J. Longmuir

R.J. Longmuir, Attorney
ICIS PIN AT0012325
Peters & Longmuir, PLC
309 First St. E
Independence, IA 50644

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.