

Deed Record, No. 82, Madison County, Iowa

The Winterset Cemetery
Improvement Association

#917

Filed for record the 25 day of February
A. D. 1948 at 4:48

To
Clifford Cleland et al

Fee \$1.00

Wilma M. Wade, Recorder

NOTICE OF FORFEITURE OF CONTRACT

TO Clifford Cleland and Virginia Cleland
and
John Cleland and Dorothy Cleland:

You and each of you are hereby notified that in August, 1942, a written contract was made and entered into by and between Winterset Cemetery Improvement Association as seller and Clifford Cleland and Virginia Cleland as buyers, covering the real estate in Madison County, Iowa, described as follows, to-wit:

West Half ($W\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$); and the West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty-nine (29); and the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); and the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); and the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Thirty (30), all in Township Seventy-five (75) North, of Range Twenty-six (26) West of the 5th P. M.,

and that on November 7, 1944, an Extension Agreement was made and entered into by and between The Winterset Cemetery Improvement Association and said Clifford Cleland and Virginia Cleland, who are husband and wife, and that the terms and conditions of said contract and Extension Agreement have not been complied with by said Clifford Cleland and Virginia Cleland.

That the payments due on March 1, 1945, September 1, 1945, March 1, 1946, September 1, 1946, March 1, 1947 and September 1, 1947, in the amount of \$100.00 each, in accordance with said extension agreement, have not been paid, except for the sum of \$55.00 paid on May 10, 1945 and the sum of \$45.00 paid on November 15, 1945, and the sum of \$95.00 on January 24, 1946, and the sum of \$30.00 on January 24, 1946, and the sum of \$98.37 advanced for taxes on September 11, 1945 has not been repaid, and the sums of \$4.50 and \$3.80 advanced for insurance on September 11, 1945, have not been repaid, and that there was due and unpaid on said contract on account of installments which are past due, with interest according to said contract, after giving credit for all payments made, the sum of \$705.69 on September 1, 1947, and said sum is delinquent, and you are in default thereon, and that there is also a balance of principal remaining unpaid on said contract, in addition to the installments of principal which are delinquent, in the amount of \$2350.00, and that there is unpaid interest on said contract on the sum of \$3055.69 at 4 per cent per annum from and after September 1, 1947, and that said sum bears interest at 4 per cent per annum from and after September 1, 1947, and that there is also due and unpaid and delinquent on said contract the sum of \$106.67, with interest at 4 per cent per annum from and after September 11, 1945, on account of said taxes and insurance payments advanced, and you are in default thereon.

That notice is given to said John Cleland and Dorothy Cleland, wife of John Cleland, as parties in possession of said real estate.

And you are further notified that said contract, together with said extension agreement, will stand forfeited and canceled unless, within thirty days after the completed service of this notice, you perform the terms and conditions of said contract and extension agreement in default, and, in addition, pay the reasonable costs of serving this notice.

The Winterset Cemetery Improvement Association,
by Daniel J. Gallery
(ADDRESS: Winterset, Iowa)
its attorney

RETURN OF SERVICE

State of Iowa Madison County) ss

The within Notice Of Forfeiture Of Contract in the case of The Winterset Cemetery Improvement Association Plaintiff vs Clifford Cleland and Virginia Cleland et al Defendants, received this 6th day of December, 1947, and I certify that I served the same on the

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Acres-Blackmar Co. Burlington. 38000

defendants named below by delivering a copy of said Notice to each of said defendants personally at the time and place set opposite their respective names

Clifford Cleland, December 9th, 1947 South Township, Madison County, Iowa
Virginia Cleland, December 9th, 1947, South Township, Madison County, Iowa
Dorothy Cleland, December 9th, 1947, South Township, Madison County, Iowa
and I served said notice on John Cleland at his dwellinghouse or usual place of abode in South Township, Madison County, Iowa, and which place was not a rooming house, hotel, club or apartment building, by there delivering a copy thereof to Dorothy Cleland a person residing therein who was then at least eighteen years old, on the 9th day of December, 1947

FEEES
Service.....\$ 1.25
Mileage..... 2.25

Total.....\$ 3.50

Chas. H. Neidt, Sheriff
By Cecil A. Letz, Deputy

Paid by Plaintiffs attorney Retained by Sheriff

COMPARED