Book 2009 Page 2426
Document 2009 2426 Type 06 010 Pages 7
Date 6/18/2009 Time 10:41:28AM
Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Preparation Information: John W. Bernau, Delaware County Attorney, Delaware County Courthouse, 301 East Main Street, Manchester, Iowa 52057; 563-927-3819

Return Document to: John W. Bernau, Delaware County Attorney, Delaware County Courthouse, 301 East Main Street, Manchester, Iowa 52057; 563-927-3819

Grantor: Robert Paul Krogmann

Grantee: State of Iowa

AFFIDAVIT

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

I, John W. Bernau, being first duly sworn or affirmed under oath, state as follows:

1. I am the County Attorney for Delaware County, Iowa.

2. Attached hereto is a copy of a Restitution Lien filed in the Delaware County Clerk of Court's Office on the 18th day of June, 2009.

6-18-09
Date

John W. Bernau
Delaware County Attorney
On Behalf of the State of Iowa

18th Subscribed and sworn to before me, a Notary Public in and for the State of Iowa, on this day of June, 2009.

KATHY M. HAUSCHILD
COMMISSION NUMBER 155818
MY COMMISSION EXPIRES
4-9-11

Notary Public, State of Iowa

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

STATE OF IOWA,	)	CRIMINAL NO. FECR 007326
	)	
Plaintiff,	)	
	)	
vs.	)	**RESTITUTION LIEN**
	)	
ROBERT P. KROGMANN,	)	
	)	
Defendant.	)	

FILED
09 JUN 18 AM 10: 22
CLERK OF DISTRICT COURT
DELAWARE COUNTY, IOWA

COMES NOW, the State of Iowa, pursuant to the terms of Iowa Code Section 910.10 (2009) and files a restitution lien in the above-captioned case.

1. On March 23, 2009, the Delaware County Attorney charged the Defendant under a two-count Trial Information with Attempted Murder and Willful Injury. Should Defendant be convicted of one or both of these offenses, Iowa Code Chapter 910 requires the District Court to order restitution to the victim. The purpose of this lien is to preserve the Defendant's assets to satisfy any and all restitution that will be ordered.

2. The person whose property or other interests are subject to this lien is: **Robert P. Krogmann, DOB 6/7/58**, and the present address of the residence and principal place of business of the person named in the lien is **1621 155th Street, Manchester, Iowa 52057**.

   This lien covers the following types or items of property or proceeds from the sale of property whether specifically listed or not:

   a. All inventory of Defendant, whether now owned or hereafter acquired and wherever located.

   b. All equipment of Defendant, whether now owned or hereafter acquired including, but not limited to, all present and future machinery, vehicles, furniture, fixtures, manufacturing equipment, farm machinery, and equipment, shop equipment, office and record keeping equipment, parts and tools, and the goods described in any equipment schedule or list furnished to any secured or other party by Defendant.

   c. Specifically, this Restitution Lien covers the following:

Vehicles, Motorcycles and Trailers:

2007 Harley-Davidson Heritage motorcycle, VIN 1HD1BW5127Y020067
2006 Ford Crew Cab Diesel pickup truck, VIN 1FTSW21P36EB74591
1997 Dodge Caravan LE, VIN 1B4GP54L3VB360092
1992 Bumper Trailer, VIN 1N9BS1825NM079048
1978 Pontiac, VIN 2U87Z8N173565
1986 Honda, VIN JH2RC1903GM206589
1981 Kawasaki, VIN JKAKEPD16BA011615
1988 Cadillac, VIN 1G6EL1155JU609109
1967 Honda, VIN S90667888A
1985 Dodge, VIN 1B7HD24T1FS628105
1990 Chevrolet, VIN 1G1FP23E6LL101144
2006 Delta Manufacturing Inc. Trailer, VIN 4MWFS26246N018191
1997 Pontiac Bonneville SSEI, VIN 1G2HZ5217VH239733
1999 Kenworth, VIN 3WKADU9X5XF822208
2005 Timpte semi trailer, VIN 1TDH422255B106201
2000 Chrysler Sebring JXI, VIN 3C3EL55H2YT286090
Any and all other vehicles not specifically listed above.

Farm Equipment:

Hopper Trailer, model DWH-500C Commander
782 Brent Red Grain Cart
John Deere 4440 Tractor
John Deere 4450 Tractor with cab
John Deere 4450 Tractor with cab
John Deere 8630 Tractor with duals
John Deere 4255 Tractor with duals
International Harvestor 2188 Combine with corn head
John Deer 270 Skidloader
Oliver 880 Tractor
International Harvestor 128 Cultivator
John Deere 630 Disc
John Deere 1760 Planter
1000 gallon sprayer
John Deere 567 Baler
John Deere 935 Discbine
M&W Side Delivery Rake
Bale Wrapper
Wesrfleff Grain Auger 13'x61"

DMI Gravity Wagons
NH 385 Grinder Mill
Air Compressor
Duals, weights and chains
Portable Generator
Tools including welder and torch
Case-IH Grain Table #1020
Combine Head Transport Gear
H&S Hay Tedder
Glenco Chisel Plow
John Deere Back Hoe #9300
International Harvestor Plow #720 6'18"
38" Soil Finisher
Drying Equipment #1218
Grain Drill 14'
Feeding Equipment and Gates
Flat Bed Trailer
Bale Mover
Wire Welder
Lawn Mower
1996 Polaris #400 6-wheeler
Any and all other farm equipment not specifically listed.

Real Estate:

NEfr 1/4 NE 1/4, and the NE 1/4 NE 1/4 NWfr 1/4 NE 1/4 of Section 1, Township 89 North, Range 6 West of the 5th P.M., and the NWfr 1/4 NE 1/4 SWfr 1/4, and the Wfr ½ SW 1/4 of Section 31, Township 90 North, Range 5 West of the 5th P.M., except the North 311 feet of the East 420 feet of the NE 1/4 NWfr 1/4 of said Section 31, also except the West 150 feet of the East 432 feet of the North 233 feet of the NWfr 1/4 SW 1/4 of said Section 31, and also except Parcel "A" being part of the Frl NW 1/4 SW 1/4 of Section 31, Township 90 North, Range 5 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2002, Page 3632; and East 50 acres of S ½ SE 1/4 of Section 36, Township 90 North, Range 6 West of the 5th P.M., Delaware County, Iowa. (383 total acres more or less)

AND

NE 1/4 and E ½ of the NW 1/4 of Section 20, Township 90 North, Range 5 West of the 5th P.M., Delaware County, Iowa, except Parcel A in the E ½ NE 1/4 according to plat recorded in Book 2000, Page 2857, subject to roadways and easements of record. (230 total acres more or less)

Any and all other real estate not specifically listed.

Mortgages, Notes, Insurance, Deposits and Cash:

Checking account at Citizens State Bank, Monticello, Iowa
Farm lease - subcontracted to Jason Hoeger
Farm lease - subcontracted to Jason Hoeger
MF Global Account #[redacted]
Life insurance policy held on the life of the Defendant's son, Justin R. Krogmann, with Farm Bureau Financial Services, policy number 04000756814.
Any and all other mortgages, notes, insurance, deposits and cash not specifically listed.

Miscellaneous Property:

Electric Line Easement
2005 Snowmobile

All farm products of Defendant, whether now owned or hereafter acquired, including, but not limited to (i) all poultry and livestock and their young, products thereof and produce thereof, (ii) all crops, whether annual or perennial, and the products thereof, and (iii) all feed, seed, fertilizer, medicines, and other supplies used or produced by Defendant in farming operations, (iv) any crop insurance payments, including any diversion or deficiency payments, (v) commodities, futures, and stock accounts including, but not limited to:

Crops/grain under contract and/or located at the Ryan Coop.
Crops/grain under contract and/or located at Kelchen Grain.
Crops/grain under contract and/or located at Innovative Ag.
Any and all other crops/grain under contract and/or located at any other location not specifically listed.

Each and every right of Defendant to the payment of money, whether such right to payment rises out of a sale, lease or other disposition of goods or other property by Defendant, prepaid rent, out of a rendering of services by Defendant, out of a loan by Defendant, out of the overpayment of taxes or other liabilities of Defendant, or otherwise arises under any contact or agreement, whether such right to payment is or is not already earned by performance, and however such right to payment may be evidenced, together with all other rights and interests in the name of the Defendant whether held singly or jointly.

Any and all other miscellaneous property not specifically listed.

3. The criminal proceeding pursuant to which the lien is filed, including the name of the court, the title of the action, and the court's file number: **Iowa District Court in and for Delaware County, State of Iowa vs. Robert P. Krogmann, FECR 007326**.

4. If applicable, any juvenile delinquency proceeding pursuant to which the lien is filed, including only the name of the court, the title of the action, and the court's file number: **N/A**

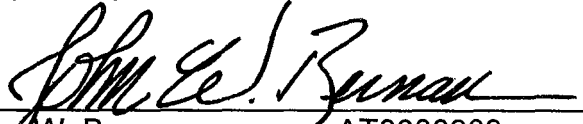
5. The name and business address of the attorney representing the State in the proceeding pursuant to which the lien is filed or the name and residence and business address of each person entitled to restitution pursuant to a court order: **John W. Bernau, Delaware County Attorney, Office of the Delaware County Attorney, Courthouse, 301 East Main Street, Manchester, Iowa 52057**.

6. Pursuant to the directive of subsection 910.10(f) you are hereby notified that this notice/restitution lien is being filed pursuant to Section 910.10 of the Iowa Code.

7. The amount of restitution the person has been ordered to pay or is likely to be ordered to pay, if known: **The amount of restitution to be ordered in the immediate action is presently unknown, but is likely to be very substantial. The victim was hospitalized continuously for approximately 2 months, currently requires 24 hour care, attends rehabilitative therapy three times a week and will be continuously involved in other care and treatment for the foreseeable future and quite possibly the remainder of her life.**

8. **PURSUANT TO SUBSECTION 910.10(4) OF THE CODE OF IOWA, YOU ARE HEREBY PUT ON NOTICE THAT THE FILING OF A RESTITUTION LIEN IN ACCORDANCE WITH IOWA CODE SECTION 910.10 CREATES A LIEN IN FAVOR OF THE STATE AND THE VICTIM IN ANY PERSONAL OR REAL PROPERTY IDENTIFIED IN THE LIEN TO THE EXTENT OF THE INTEREST HELD IN THAT PROPERTY BY THE PERSON NAMED IN THE LIEN.**

Respectfully submitted,



John W. Bernau AT0000809
Delaware County Attorney
Delaware County Courthouse
301 East Main Street
Manchester, Iowa 52057
Telephone: (563) 927-3819
FAX: (563) 927-9074
jwbernau@msn.com

copy to: David Nadler
Attorney at Law
Law Building, Suite 310
225 2nd Street S.E.
Cedar Rapids, IA 52401

Mark Brown
Attorney at Law
211 3rd Avenue S.W.
Cedar Rapids, IA 52404

Gary F. McClintock
Attorney at Law
317 First Street East
Independence, IA 50644

Robert Krogmann (hand-delivery by DCSO staff)
c/o Delaware County Jail
Manchester, IA 52057

wpdocs/restitution-lien.rpk

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties to the above-entitled cause by enclosing the same in an envelope addressed with postage fully paid, and by depositing said envelope in a United States Post Office depository on the 18th day of June 2009.

Kathy Hauschild