Book 2010 Page 2033
Document 2010 2033 Type 06 018 Pages 10
Date 7/01/2010 Time 11:37:03AM
Rec Amt $54.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

2003 - 5428

CERTIFICATION OF BANKRUPTCY ORDER
COVER SHEET ADW
Recorder's Cover Sheet

Preparer Information:
William D. Werger, 303 First Avenue NE, Waverly, (319) 352-1637

Taxpayer Information:
William D. Werger, 520 5th Ave. SW, Waverly, IA 50677

Return Address
William D. Werger, 520 5th Ave. SW, Waverly, IA 50677

Grantors:
Clerk of Court, US Bankruptcy Court, Northern District Of Iowa

Grantees:
William D. Werger and Tamera J. Werger

Legal Description: Lot Two (2) of the Plat of Tanglewood Subdivision-Plat No. 2, City of Manchester, Delaware County, Iowa, according to plat recorded in Book 5 Plats, Page 116.

Document or instrument number if applicable:

WILLIAM D. WERGER and TAMERA J. WERGER
NORTHERN DISTRICT OF IOWA

CASE NO. 09-03230

CERTIFICATE OF CLERK

The undersigned Clerk of the United States Bankruptcy Court for the Northern District of Iowa certifies that no Notice of Appeal, Application to Extend Time for Appeal, or Motion to Stay has been filed with regard to the Order Avoiding Judicial Lien in the above referenced matter following entry of judgment filed 04-01-2010.

MAY 4, 2010

for CLERK OF COURT
US BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

CERTIFICATE OF TRUE COPY

I do hereby certify that the attached copy of seven (7) page(s) of documents in Case No. 09–03230 of William D Werger and Tamera J Werger debtor(s), have been compared with the original thereof and that it is a complete and correct copy of such original as it appears of record and on file in the office of the Clerk of this Court.

In testimony whereof I have hereunto set my hand.

SEAN F. McAVOY
Clerk, Bankruptcy Court
by:
Deputy Clerk
P.O. Box 74890
425 2nd Street SE
Suite 800
Cedar Rapids, IA 52407–4890

Date of Issuance: May 4, 2010

United States Bankruptcy Court
Northern District of Iowa

IN RE: Case No. **09-03230**

Werger, William D & Werger, Tamera J Chapter **7**
Debtor(s)

MOTION TO AVOID JUDICIAL LIEN

Debtor(s) commenced this case on **11/03/2009** by filing a voluntary petition for relief under Chapter **7** of Title 11 of the United States Code.

Pursuant to 28 U.S.C. § 1334, this court has jurisdiction over this motion filed pursuant to 11 U.S.C. § 522(f) to avoid and cancel a judicial lien held by **Community Savings Bank** on real property used as the debtor's residence.

On **9/21/2009**, creditor recorded a judicial lien against debtor's residence at:
820 Tanglewood Drive, Manchester, Iowa 52057

Legally described as Lot Two (2) of the Plat of Tanglewood Subdivision-Plat No.2, City of Manchester, Delaware County, Iowa according to plat book recorded in Book 5 Plats, Page116.

The said judicial lien is entered of record as follows:
Community Savings Bank v. 12th street Dev. et al.

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The debtor's interest in the property referred to in the preceding paragraph and encumbered by the lien has been claimed as fully exempt in the debtor's bankruptcy case.

The existence of the creditor's lien on debtor's real property impairs exemptions to which the debtor(s) would be entitled under 11 U.S.C. § 522(b).

WHEREFORE, debtor(s) pray for an order against **Community Savings Bank** avoiding and cancelling the judicial lien in the above-mentioned property, and for such additional or alternative relief as may be just and proper.

Dated: **February 10, 2010**

Debtor

Joint Debtor (if any)

James T. Peters, Attorney At Law 8038
Peters Law Office
309 First Street East / P.O. Box 774
Independence, IA 50644
(319) 334-9992 Fax: (319) 334-9993

IN THE IOWA DISTRICT COURT FOR BUCHANAN COUNTY

IN RE:	*	
	*	**CHAPTER 7 BANKRUPTCY**
WILLIAM D WERGER	*	**CASE NO. 09-03230**
and	*	
TAMERA J WERGER	*	**NOTICE OF MOTION TO AVOID**
	*	**JUDICIAL LIEN OF**
Debtors	*	**COMMUNITY SAVINGS BANK**

NOTICE IS HEREBY GIVEN, the Debtors, by and through their Attorney, James T. Peters, have filed a Motion To Avoid Judicial Lien.

NOTICE IS FURTHER GIVEN that objections to said Motion To Avoid Judicial Lien, if any, shall be filed with the Clerk of the Bankruptcy Court of the Northern District of Iowa, with a copy to the US Trustee, Trustee Sheryl Schnittjer, and Attorney for the Debtors, James T. Peters, within twenty-one (21) days from the date of this Notice.

NOTICE IS FURTHER GIVEN if objections are filed they will be set for hearing. If no objections are filed, the appropriate Order will be entered.

The undersigned certifies a copy of this Notice was mailed to the parties named to this date.

Dated this 10th day of February, 2010.

Respectfully Submitted,

BY: _____

James T. Peters AT0006120
309 First Street East
P.O. Box 774
Independence, Iowa 50644
(319-334-9992) Telephone
(319-334-9993) Facsimile

ATTORNEY FOR THE DEBTOR

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served upon the following by ordinary mail this date:

United States Trustee
US Dept. Of Justice
225 2nd Street SE, Suite 400
Cedar Rapids, Iowa 52401

Sheryl Schnittjer
US Bankruptcy Court, Northern District of Iowa
PO Box 375
Delhi, Iowa 52223

Community Savings Bank
PO Box 77
Edgewood, Iowa 52402-0077

I certify that the foregoing is true and correct.

Executed on this 10th day of February, 2010.

BY: _____

James T. Peters AT0006120
309 First Street East
P.O. Box 774
Independence, Iowa 50644
(319-334-9992) Telephone
(319-334-9993) Facsimile

ATTORNEY FOR THE DEBTOR

IN THE IOWA DISTRICT COURT FOR BUCHANAN COUNTY

IN RE:	*	
	*	**CHAPTER 7 BANKRUPTCY**
WILLIAM D WERGER	*	**CASE NO. 09-03230**
and	*	
TAMERA J WERGER	*	**NOTICE OF MOTION TO AVOID**
	*	**JUDICIAL LIEN OF**
Debtors	*	**COMMUNITY SAVINGS BANK**

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Dated this 10th day of February, 2010.

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(319-334-9992) Telephone
(319-334-9993) Facsimile

ATTORNEY FOR THE DEBTOR

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE: Case# 09-03230

WILLIAM D. WERGER
TAMERA J. WERGER Chapter 7

ORDER

The file reflects the Motion to Avoid Judicial Lien, regarding Community Savings Bank, which was filed with the Court on February 2, 2010. No objections have been filed to the Motion filed by the Debtors.

IT IS HEREBY ORDERED:

1. The Debtor's Motion to Avoid Judicial Lien filed February 2, 2010, concerning the following described property: Lot 2 Tanglewood Subdivision Plat2, Manchester, Delaware County Iowa aka 820 Tanglewood Drive, Manchester, Iowa, is granted without objection.

DATED AND ENTERED: April 1, 2010

Paul J. Kilburg

JUDGE

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

In Re:

CHAPTER 7
Bankruptcy No.

William D Werger
Tamera J Werger
Debtor(s)

09–03230

JUDGMENT

The issues of this proceeding having been duly considered by the Honorable Paul J. Kilburg, United States Bankruptcy Judge, and a decision having been reached without trial or hearing

IT IS ORDERED AND ADJUDGED:

The Debtors Motion to Avoid Judicial Lien filed February 2, 2010, concerning the following described property: Lot 2 Tanglewood Subdivision Plat2, Manchester, Delaware County Iowa aka 820 Tanglewood Drive, Manchester, Iowa, is granted without objection.

SEAN F. McAVOY
Clerk, Bankruptcy Court
by:

Deputy Clerk

Date of Issuance: April 1, 2010