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Prepared by, and return Document to: William E. Bump, P.O. Box 127, Panora, Iowa 50216; 641-755-2131

**AFFIDAVIT RE NON-ATTACHMENT OF JUDGMENT LIEN  
TO HOMESTEAD PROPERTY**

**State of Iowa, County of Guthrie: ss-**

The undersigned, William E. Bump, being first duly sworn on oath deposes and states as follows:

1. I am a practicing attorney at law and make this affidavit in connection with the real estate legally described as:

**A tract of land located in the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 0.974 acres, as shown in Boundary Retracement Survey filed in Book 2018, page 633 on February 28, 2018, in the Office of the Recorder of Madison County, Iowa.**

2. In the case entitled Citibank, N.A., Plaintiff vs Gerald S. Smith, Defendant, in the Iowa District Court for Madison County, Case Number LACV035225, a judgment was entered against Gerald S. Smith on January 5, 2021.

3. On April 20, 2021, I caused to be served upon the attorney of record for Citibank, N.A. a notice pursuant to Section 624.23, The Code of Iowa that the above-described real estate is protected homestead under Iowa Code Chapter 561 and exempt from execution levy of the judgment held by Citibank, N.A., that the judgment possessed by Citibank, N.A. does not attach as a lien against the homestead of Gerald S. Smith, and demanding that Citibank, N.A. levy on the real property described herein within thirty (30) days from the date the Notice is served. A true and correct copy of the Notice is attached hereto.

4. Service could not be made upon Citibank, N.A. pursuant to Iowa Code §654.4A(1) or by personal service in this state, and as such service was made via certified mail, with proof of delivery, on the judgment creditor's attorney of record, Christopher L. Low, Blitt and Gaines, P.C., 2536 73<sup>rd</sup> Street, Des Moines, IA 50322, along with a copy of Iowa Code §654.4A(2) and a payment of \$10.00, as required therein. A true and correct copy of the proof of mailing is attached hereto.

5. More than 30 days have elapsed since service was completed, and no levy has been made by Citibank, N.A. Pursuant to Section 624.23, The Code of Iowa, the lien and any and all benefits derived from the lien as to the real estate described herein are forfeited.

Further this affiant sayeth naught.

Dated: May 21, 2021

*William E. Bump*

William E. Bump

Subscribed and sworn to before me, a Notary Public, by William E. Bump on May 21, 2021.

*DeLene E. Egger*

Notary Public in and for said County and State

