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Document 2009 2262

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Date 7/15/2009 Time 2:14 PM

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INDX
ANNO
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Recorder's Cover Sheet

✓ MCA

Prepared by : _____

RETURN TO: _____

Samuel Z. Marks
Marks Law Firm, P.C.
4225 University Avenue
Des Moines, IA 50311
Phone: 515-276-7211

Aaron M. Hubbard
Critelli & Hubbard, P.C.
9902 Swanson Blvd
Clive, IA 50325
515-255-8750

Grantor: Samuel Z. Marks

Grantee: The Public

Legal Description:

SEE ATTACHED LEGAL DESCRIPTION

STATE OF IOWA)
) ss:
COUNTY OF POLK)

I, Samuel Z. Marks, being first duly sworn on oath, do state and depose that:

1. The undersigned is a regularly practicing attorney in Des Moines, Polk County, Iowa.
2. This affidavit is given for the purposes of clearing title to real estate legally described as:

Parcel "C", a part of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section Five (5) and Part of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Four (4), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at an iron pin at the Northeast Corner of the SW1/4 of said Section 4; thence N 89 degrees 36' 05" W. a distance of 1869.43' to the present Centerline of Highway 92; thence S 30 degrees 00' 51" W. along said Centerline, a distance of 526 .01' to the Point of Beginning; thence S 30 degrees 07' 17" W. along said Centerline a distance of 720.99'; thence S 32 degrees 12' 38" W., along said Centerline, a distance of 83.86'; thence with a curve turning to the right with an arc length of 216.23', with a radius of 2292.00', with a chord bearing of S 35 degrees 50' 30" W., with a chord length of 216.15'; thence S 89 degrees 30' 47" W. a distance of 345.21'; thence N 00 degrees 29' 13" W. a distance of 872.35'; thence North 90 degrees 00' 00" E. a distance of 885.43' to the Point of Beginning. Containing 12.53 acres of land including 2.59 acres of county road right of way.



3. On July 9, 2008 the undersigned filed a Bankruptcy Petition pursuant to Chapter 13 of Title 11 of the United States Code on behalf of Gregory A. McDonald and Debra K. McDonald in the United States Bankruptcy Court for the Southern District of Iowa. Said filing was assigned case number 08-02600-lmj13.
4. Albert C. Warford was appointed as Trustee for said case.
5. Schedule A of the Bankruptcy Petition recited that Gregory A. McDonald and Debra K. McDonald owned real estate as described above and Schedule C of the Bankruptcy Petition recited that said real estate was claimed as exempt.
6. On May 13, 2009 the undersigned filed a Motion to Avoid Lien in said bankruptcy matter. Said Motion asked the Court to avoid the judgment lien in favor of The CBE Group, Inc., Assignee of Madison County Health System created in Small Claims No. SCSC012728. The Court set a bar

date for objections for May 28, 2009. No objections to said Motion were filed. On June 8, 2009 The Court granted said Motion.

7. The judgment lien in favor of The CBE Group, Inc., Assignee of Madison County Health System created in Small Claims No. SCSC012728 has been avoided pursuant to 11 U.S.C. § 522(f).

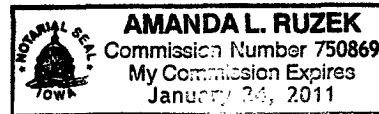


Samuel Z. Marks

Subscribed and sworn to before me this 10th day of June, 2009.



NOTARY PUBLIC-STATE OF IOWA



Addendum

1.

Parcel "C", a part of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section Five (5) and Part of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Four (4), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at an iron pin at the Northeast Corner of the SW1/4 of said Section 4; thence N 89° 36' 05" W. a distance of 1869.43' to the present Centerline of Highway 92; thence S 30° 00' 51" W. along said Centerline, a distance of 526.01' to the Point of Beginning; thence S 30° 07' 17" W. along said Centerline a distance of 720.99'; thence S 32° 12' 38" W., along said Centerline, a distance of 83.36'; thence with a curve turning to the right with an arc length of 216.23', with a radius of 2292.00', with a chord bearing of S 35° 50' 30" W., with a chord length of 216.15'; thence S 89° 30' 47" W. a distance of 345.21'; thence N 00° 29' 13" W. a distance of 872.35'; thence North 90° 00' 00" E. a distance of 885.43' to the Point of Beginning. Containing 12.53 acres of land including 2.59 acres of county road right of way.

