

REC \$ 50⁰⁰
AUD \$ _____
R.M.F. \$ 1⁰⁰

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COMPARED	✓

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FILED NO. _____
BOOK 2003 PAGE 681
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NICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

Prepared by: John M. Miller, 974 73rd Street, Ste. 22, Des Moines, Iowa 50312 Phone: (515) 225-3333
Address Tax Statements:

AFFIDAVIT

STATE OF IOWA)
) ss:
COUNTY OF POLK)

RE: THAT PORTION OF THE FORMER RIGHT OF WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY WHICH IS INCLUDED IN THE WEST 195.5 FEET OF THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION THIRTY-THREE (33) IN TOWNSHIP SEVENTY-SIX (76) NORTH, RANGE TWENTY-SEVEN (27) WEST OF THE 5TH P.M. MADISON COUNTY, IOWA, AND ALL THAT PART OF THE WEST 195.5 FEET OF THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION THIRTY-THREE (33) IN TOWNSHIP SEVENTY-SIX (76) NORTH, RANGE TWENTY-SEVEN (27) WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, EXCEPT THE NORTH 50 FEET THEREOF, WHICH LIES NORTH OF THE RIGHT OF WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY, SUBJECT TO EASEMENT FOR PUBLIC HIGHWAY, RECORDED IN OFFICE OF MADISON COUNTY RECORDER, DEED RECORD 130, PAGE 747.

I, John M. Miller, being first duly sworn on oath do depose and state that I am an attorney licensed to practice in the State of Iowa with offices located at 974 73rd Street, Ste. 22, Des Moines, Iowa.

I further state that this office was the attorney of record for Jimmie Dean Brandt and Lori Jean Brandt in their Chapter 7 Petition filed under Title 11 United States Code. True and correct copies of the Petition for Relief, Notice of Commencement of Case, Schedules A and C, and Discharge of Debtor all filed in the United States Bankruptcy Court for the Southern District of Iowa, Case Number 00-2734-CH, are attached hereto.

I further state and attest that the time for filing objections to exemptions has passed and no such objections have been filed.

I further state that a Motion to Avoid Judicial Lien was filed therein and that the Court entered its Order Avoiding Judicial Lien on September 7, 2000, as it related to Aqua Finance Inc., a true and correct copy of said Order is attached hereto.

I execute this affidavit for the purpose of clearing title to the above described property.

John M. Miller
John M. Miller, IS9999255
974 73rd St., Ste. 22
Des Moines, Iowa 50312
Telephone: (515) 225-3333

Subscribed and sworn to before me, a Notary Public in and for the State of Iowa, on this 28th day of January, 2003.

Lisa A. Riebkes
Notary Public in and for the State of Iowa



FORM B1		United States Bankruptcy Court <i>SOUTHERN District of IOWA</i>	Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <i>Brandt, Jimmie Dean</i>		Name of Joint Debtor (Spouse)(Last, First, Middle): <i>Brandt, Lori Jean</i>	
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): <i>NONE</i>		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): <i>f/k/a Lori Strain</i>	
Soc. Sec./Tax I.D. No. (if more than one, state all): [REDACTED]		Soc. Sec./Tax I.D. No. (if more than one, state all): [REDACTED]	
Street Address of Debtor (No. & Street, City, State & Zip Code): <i>2478 St. Hwy 92 Winterset, IA 50273</i>		Street Address of Joint Debtor (No. & Street, City, State & Zip Code): <i>2478 St. Hwy 92 Winterset, IA 50273</i>	
<i>Phone: 515-462-2352</i>			
County of Residence or of the Principal Place of Business: <i>Madison</i>		County of Residence or of the Principal Place of Business: <i>Madison</i>	
Mailing Address of Debtor (if different from street address): <i>SAME</i>		Mailing Address of Joint Debtor (if different from street address): <i>SAME AS DEBTOR</i>	
Location of Principal Assets of Business Debtor (if different from street address above): <i>NOT APPLICABLE</i>			

Information Regarding the Debtor (Check the Applicable Boxes)

Venue (Check any applicable box)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

<p>Type of Debtor (Check all boxes that apply)</p> <p><input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____</p>	<p>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)</p> <p><input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding</p>
<p>Nature of Debts (Check one box)</p> <p><input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business</p>	<p>Filing Fee (Check one box)</p> <p><input checked="" type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration</p>

Chapter 11 Small Business (Check all boxes that apply)

Debtor is a small business as defined in 11 U.S.C. § 101

Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA RECEIPT

<p>Statistical/Administrative Information (Estimate)</p> <p><input type="checkbox"/> Debtor estimates that funds will be available</p> <p><input checked="" type="checkbox"/> Debtor estimates that, after any exempt property paid, there will be no funds available for distribution</p>	<p>Case # <i>00-02734 CH</i> Chapter <i>7</i> Filed: <i>2:50 PM, 07/26/00</i> Des Moines</p> <p>Judge: <i>Russell J. Hill</i> Trustee: <i>Shodeen, Anita L.</i></p> <p>Debtor(s): <i>Jimmie Dean Brandt</i> <i>Lori Jean Brandt</i></p>	<p style="text-align: right;"># <i>000067250 - CR</i></p> <p style="text-align: right;">03:08 PM, July 26, 2000</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Code</th> <th style="text-align: left;">Qty</th> <th style="text-align: left;">Amount</th> </tr> </thead> <tbody> <tr> <td><i>7</i></td> <td><i>1</i></td> <td><i>\$200.00</i></td> </tr> </tbody> </table> <p style="text-align: center; font-size: 2em; opacity: 0.5;">ATTORNEY</p> <p style="text-align: center;">TOTAL PAID: \$200.00</p> <p>From: <i>John M. Miller</i> <i>974 73rd St., Ste 20</i> <i>Des Moines, IA 50312-0000</i></p> <p style="text-align: right;">4</p>	Code	Qty	Amount	<i>7</i>	<i>1</i>	<i>\$200.00</i>														
Code	Qty	Amount																				
<i>7</i>	<i>1</i>	<i>\$200.00</i>																				
<p>Estimated Number of Creditors 1-15 16-49</p> <p style="text-align: center;"><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>First Meeting of Creditors</p> <p><i>11:00 AM, September 08, 2000</i> <i>Des Moines Room 783</i> <i>Room 783 Federal Building</i> <i>210 Walnut Street</i> <i>Des Moines, IA 50309</i></p>																					
<p>Estimated Assets</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">\$0 to \$50,000</td> <td style="text-align: center;">\$50,001 to \$100,000</td> <td style="text-align: center;">\$100,001 to \$500,000</td> <td style="text-align: center;">\$500,001 to \$1 million</td> <td style="text-align: center;">\$1,000,001 to \$10 million</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Estimated Debts</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">\$0 to \$50,000</td> <td style="text-align: center;">\$50,001 to \$100,000</td> <td style="text-align: center;">\$100,001 to \$500,000</td> <td style="text-align: center;">\$500,001 to \$1 million</td> <td style="text-align: center;">\$1,000,001 to \$10 million</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		

In re Jimmie Dean Brandt and Lori Jean Brandt / Debtor

Case No. _____ (If known)

SCHEDULE A-REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C-Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property Husband—H Wife—W Joint—J Community—C	Current Market Value of Debtor's Interest, in Property without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Homestead located at 2478 State Hwy. 92, Winterset Iowa and legally described as: See Exhibit A attached to Schedule B	Fee simple subject to mortgage J	\$ 65,000	\$ 57,458
TOTAL \$		65,000	

NO continuation sheets attached

(Report also on Summary of Schedules.)

In re Jimmie Dean Brandt and Lori Jean Brandt

/ Debtor

Case No. _____

(If known)

SCHEDULE C-PROPERTY CLAIMED EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

- 11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.
- 11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Description of Property	Specify Law Providing each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
Homestead located at 2478 State Hwy. 92, Winterset Iowa and legally described as: See Exhibit A attached to Schedule B	Iowa Code Ann. S561.2	\$ 7,542	\$ 65,000
Union State Bank, Winterset, IA - checking	Iowa Code Ann. S627.6	\$ 100	\$ 100
Household goods	Iowa Code Ann. S627.6(5)	\$ 2,000	\$ 2,000
Wearing apparel	Iowa Code Ann. S627.6(1)	\$ 800	\$ 800
Wedding rings	Iowa Code Ann. S627.6(1)	\$ 500	\$ 500
Putnam - retirement	Iowa Code Ann S627.6	\$ 2,800	\$ 2,800
401k	Iowa Code Ann S627.6	\$ 2,500	\$ 2,500
1992 Ford Explorer	Iowa Code Ann. S627.6(9)	\$ 0	\$ 5,500
1970 Chevy Malabu	Iowa Code Ann. S627.6(9)	\$ 500	\$ 500

EXHIBIT A

That portion of the former right of way of the Chicago, Rock Island and Pacific Railway Company which is included in the West 195.5 feet of the Northeast Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-three (33) in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, And All that part of the West 195.5 feet of the Northeast Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-three (33) in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, **Except** the North 50 feet thereof, which lies North of the right of way of the Chicago, Rock Island and Pacific Railway Company, subject to Easement for Public Highway, recorded in Office of Madison County Recorder, Deed Record 130, Page 747.

UNITED STATES BANKRUPTCY COURT

Iowa Southern

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 07/26/00.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. **NOTE:** The staff of the bankruptcy clerk's office cannot give legal advice.

F I L E D

See Reverse Side For Important Explanations.

07/26/00Clerk, U.S. Bankruptcy Court
Des Moines, Iowa

Debtor(s) (name(s) and address):

Jimmie Dean Brandt
2478 St. Hwy 92
Winterset, IA 50273Lori Jean Brandt
fka Lori StrainCase Number:
00 - 02734 CH

Social Security/Taxpayer ID Nos.:

Attorney for Debtor(s) (name and address):

John M. Miller
974 73rd St., Ste 20
Des Moines, IA 50312
Telephone number: 515-225-3333

Bankruptcy Trustee (name and address):

Amita L Shodeen
321 E. Walnut St
Des Moines, IA 50309
Telephone number: 515-237-1186

Meeting of Creditors:

Date: September 8, 2000 Time: 11:00 am Location: Room 783 Federal Building,
210 Walnut Street,
Des Moines, IA 50309

Deadlines:

Papers must be received by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:
11/07/00

Deadline to Object to Exemptions:

Thirty (30) days after the conclusion of the meeting of creditors.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Please Do Not File A Proof of Claim Unless You Receive a Notice To Do So.

Address of the Bankruptcy Clerk's Office:

Clerk, U.S. Bankruptcy Court
P.O. Box 9264
Des Moines, IA 50306-9264
Telephone number: 515-284-6230

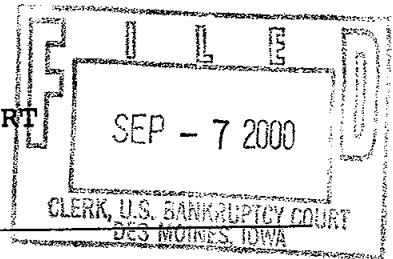
For the Court:

Clerk of the Bankruptcy Court:
Mary M. Weibel

Hours Open: Monday - Friday 8:00 AM - 5:00 PM

Date: 07/26/00

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION



IN RE: :
LORI STRAIN-BRANDT : CASE NO. 00-2734-CH
JIM BRANDT : CHAPTER 7
Debtor(s)/Movant(s), :
vs. :
AQUA FINANCE INC. :
Creditor. :

ORDER AVOIDING JUDICIAL LIEN

This matter coming before the Court upon the motion of the Debtors, the time allowed by Bar Date Notice herein having expired with no objections having been filed herein, and it appearing to the Court that the Defendant is a creditor, within the provisions of 11 U.S.C. Sec. 522(f)(2), the lien of the Defendant is therefore void.

IT IS THEREFORE ORDERED that any and all liens on the following exempt property of the Debtors:


That portion of the former right of way of the Chicago, Rock Island and Pacific Railway Company which is included in the West 195.5 feet of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Thirty-three (33) in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, AND All that part of the West 195.5 feet of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Thirty-three (33) in township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, Except the North 50 feet thereof, which lies North of the right of way of the Chicago, Rock Island and Pacific Railway Company, subject to Easement for Public Highway, recorded in Office of Madison County Recorder, Deed Record 130, Page 747.

held by the aforesaid Defendant should be, and is hereby cancelled

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and by this Order, the Debtors hereby released.

Dated this 7th day of September, 2000, at Des Moines, Iowa.



U.S. BANKRUPTCY JUDGE

RUSSELL J. HILL, CHIEF JUDGE
U.S. BANKRUPTCY COURT
SOUTHERN DIST. OF IOWA

Submitted by:

JOHN M. MILLER, [REDACTED]

UNITED STATES BANKRUPTCY COURT

Southern District of Iowa
P. O. Box 9264
Des Moines, Iowa 50306-9264

In re: Jimmie Dean Brandt
Social Security No: [REDACTED]
2478 St. Hwy 92
Winterset, IA 50273

Lori Jean Brandt
Social Security No: [REDACTED]
fka Lori Strain

Case No. 00 - 02734 CH

Chapter 7

F I L E D

11/08/00

Clerk, U.S. Bankruptcy Court
Des Moines, Iowa

Debtor(s)

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** *The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).*

Dated: November 8, 2000

BY THE COURT

Russell J. Hill

United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.