



MICHELLE UTSLER, COUNTY RECORDER
MADISON IOWA

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COMPARED	<input type="checkbox"/>

PREPARER AND RETURN ADDRESS:

Matthew G. Whitaker
United States Attorney

√ Craig Peyton Gaumer
Assistant United States Attorney
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Criminal No. 4:06-cr-305
)	
v.)	<u>NOTICE OF LIS PENDENS</u>
)	
MARVIN R. MITCHELL, MARLENE M.)	
MITCHELL, and MAURICE D.)	
MITCHELL, SR.,)	
)	
Defendants.)	

Notice is hereby given that an Indictment was returned by a federal grand jury and filed by the United States of America in the United States District Court for the Southern District of Iowa on the 19th day of December 2006, and is now pending in this Court, involving the potential forfeiture of real property described as follows:

Parcel 'A' located in the Northwest Quarter of the Northwest Quarter of Section 33, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the Northwest corner of Section 33, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence along the North line of said Section 33, North 90°00'00" East 273.00 feet; thence South 00°00'00" West 478.68 feet; thence South 90°00'00" West 273.00 feet; thence North 00°00'00" East 478.68 feet to the Point of Beginning. Said Parcel 'A' contains 3.000 acres, including 0.313 acres of county road right-of-way, and

Parcel 'B' located in the Northwest Quarter of the Northwest Quarter of Section 33, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows: Beginning at the Northwest corner of Section 33, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, thence North 90°00'00" East 365.22 feet along the North line of the Northwest Quarter of said Section 33; thence South 00°00'00" West 362.92 feet to the West line of the Northwest Quarter of said Section 33; thence North 00°16'30" West 478.69 feet to the Point of Beginning containing 4.000 acres including 0.748 acres of county road right-of-way


The Indictment alleges there is probable cause to believe that the Defendant property was used, or intended to be used, to commit, or to facilitate the commission of violations of Title 18, United States Code, Sections 371; 152(1); 1956(h) and Title 18, United States Code, Section 982(a)(1) and Section 2.

All right, title and interest in the subject real property vested in the United States upon commission of the acts giving rise to forfeiture under 18 United States Code § 982(b)(1) incorporating 21 United States Code.

Respectfully Submitted,

Matthew G. Whitaker
United States Attorney

By: _____



Craig Peyton Gaumer
Assistant U.S. Attorney

Subscribed and Sworn to before me, this 20th day of December, 2006



Notary Public, State of Iowa

My Commission Expires: 4-14-09



AN ORIGINAL NOTICE OF LIS PENDENS SHALL BE RECORDED WITH THE MADISON COUNTY CLERK OF COURT PURSUANT TO IOWA CODE § 617.13, AND 28 U.S.C. § 1964.