

MICHELLE UTSLER, COUNTY RECORDER
MADISON IOWA

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PREPARER AND RETURN ADDRESS:

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United States Attorney

✓ Craig Peyton Gaumer
Assistant United States Attorney
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Des Moines, Iowa 50309
Tel: (515) 284-6311

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:

The Northeast 1/4 of Section 19 Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; except "Tract A": Commencing at the Southwest Corner of the Northeast 1/4 of said Section 19, thence North 90°00' East 978.00 feet along the Quarter Section Line to the point of beginning; thence continuing North 90°00' East 310.00 feet; thence North 00°00' 280 feet; thence North 90°00' West 310.00 feet, thence South 00°00' 280 feet to the point of beginning; and except "Tract B": Commencing at the Southwest Corner of the Northeast 1/4 of said Section 19; thence North 90°00' East 1,288.00 feet; thence North 00°00' 280 feet to the point of beginning; thence North 00°00' 21 feet; thence North 90°00' West 390 feet; thence South 00°00' 21 feet; thence North 90°00' East 390 feet to the point of beginning and except "Tract C": Commencing at the Southwest Corner of the Northeast 1/4 of said Section 19; thence North 90°00' East 788 feet to the point of beginning; thence continuing North 90°00' East 190 feet; thence North 00°00' 280 feet; thence North 90°00' West 80 feet; thence southwesterly to the point of beginning; and except: Parcel "B" located in the Southeast 1/4 of the Northeast 1/4 of Fractional Section 19, Township 17 North, Range 28 West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3 at Page 316 on August 21, 1998, in the office of the Recorder of Madison County, Iowa; and except: Commencing at the Northeast Corner of said Section 19, thence South 90°00'00" West 964.85 feet along the North Line of said Section 19 to the point of beginning; thence South 00°00'00" 443.71 feet to the North line of said Section 19, thence North 90°00'00" East 294.52 feet along said North line to the point of beginning.

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,

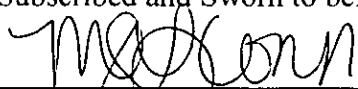
Matthew G. Whitaker
United States Attorney

By: _____



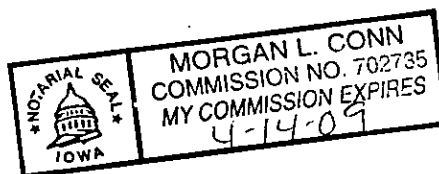
Craig Peyton Gaumer
Assistant U.S. Attorney

Subscribed and Sworn to before me, this 28th 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.