

IN THE IOWA DISTRICT COURT
MADISON COUNTY

FILED
1989 JUL 10 PM 4:01

FIRST NATIONAL BANK
IN CRESTON

Plaintiff,

vs.

HARRY E. SAXTON and
RUTH B. SAXTON et al.

Defendant.

CASE #23070

MOTION FOR SEPARATE
REDEMPTION OF HOMESTEAD

INDEXED IN
HOMESTEAD REC.
1, Page 259.

FILED NO. **2108**
BOOK 126 PAGE 576
90 APR 24 AM 8:38
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$5.00

COME NOW Harry and Ruth Saxton and moves the Court pursuant to Iowa Code Section 654.16 and request Separate Redemption of their Homestead and in support thereof states:

1. That Harry and Ruth Saxton designate the following described property as their homestead:

"The south 797 feet of the west 1,725 feet of the southwest quarter of Section 25, T74N, R29W of the 5th P.M., Madison County, Iowa; AND

The north 208 feet of the west 1,725 feet of the northwest quarter of Section 36, T74N, R29W of the 5th P.M., Madison County, Iowa."

See attached exhibits 1, 2 and 3.

2. This described homestead contains the Saxton's home and forty acres.

WHEREFORE pursuant to Iowa Code 654.16 Saxtons request that if their designated homestead is sold at a foreclosure sale that the Court determine a fair market value of the designated homestead so that the Saxtons' may redeem the designated homestead by tendering the fair market value (determined as pursuant to Section 654.16) at anytime within two years from the date of the foreclosure sale.

James G. Tomka
James G. Tomka
5525 Meredith Drive, Suite C
Des Moines, Iowa 50310-2334
(515) 270-6681

PROOF OF SERVICE
The undersigned certifies that the foregoing instrument was served upon all parties to the above cause by depositing a copy thereof in the U.S. Mail, postage prepaid, in envelopes addressed to each of the attorneys of record herein at their respective addresses disclosed on the pleadings, on July 10, 1989.

RECORDERS NOTE:
No Exhibits attached
One (1) page filed only