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INDX / ANNO SCAN

LISA SMITH, COUNTY RECORDER MADISON COUNTY IOWA

CHEK

PC 12688

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RETURN TO:

#204

Affidavit Pursuant to Iowa Title Standard 13.3

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" located in the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-one (21), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 3.009 acres, as shown in Plat of Survey filed in Book 3, Page 611 on July 31, 2000, in the Office of the Recorder of Madison County, Iowa; AND Parcel "D" located in the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of said Section Twenty-one (21), containing 0.54 acres, as shown in Plat of Survey filed in Book 2008, Page 103 on January 10, 2008, in the Office of the Recorder of Madison County, Iowa.



Locally known as 1351 Pitzer Road, Earlham, Iowa.

- 3. On July 15, 2010 Samuel Z. Marks filed a Bankruptcy Petition on behalf of Gary Rumley & Alicia Baker in the United States Bankruptcy Court for the Southern District of Iowa. Said filing was assigned case number 10-03568.
- 4. Dallas J. Janssen was appointed as Trustee for said case.

- 5. Schedule A of the Bankruptcy Petition recited that Gary Rumley & Alicia Baker owned real estate as described above and Schedule C of the Bankruptcy Petition recited that said real estate was claimed as exempt.
- 6. The last day to oppose dischargeability was October 22, 2010.
- 7. No creditors opposed discharge in the above-referenced bankruptcy matter.
- 8. On October 26, 2010 an Order Discharging Debtor was filed in the above-referenced bankruptcy matter.
- 9. On February 26, 2011 a Final Decree was entered in the above-referenced bankruptcy matter.
- 10. Pursuant to 11 U.S.C. § 554(c) any property otherwise administered at the time of the closing of the case is abandoned.
- 11.On or about October 19, 2010 the undersigned filed a Motion To Avoid Lien created against the above-described real estate. A judicial lien was created in Case No. SCSC014101 filed in Madison County District Court;
- 12. The last day to object to said Motion was November 2, 2010. No party objected to the same.
- 13.On November 8, 2010 the Bankruptcy Court entered an order granting said Motion and therefore avoiding the judicial lien created in Case No. SCSC014101 filed in Madision County District Court.

14. On February 26, 2011 the above-referenced bankruptcy matter was closed.

Samuel Z. Marks

Subscribed and sworn to before me this 17 day of October,

NOTARY PUBLIC-STATE OF IOWA

