IND.
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PAGE

IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

UNITED FEDERAL SAVINGS BANK OF IOWA, f/k/a United Federal Savings and Loan Association of Des Moines,	)	Equity No. 22367
vs.		
NOEL E. GODFREY; PATRICIA A. GODFREY; UNION STATE BANK	)	ENTRY OF FORECLOSURE

This is to certify that a decree was filed May 16, 1983 stating that the following described property has been foreclosed on the mortgage:

The South Ninety-three and one-half (93-1/2) feet of Lots Five (5) and Six (6) in Block Thirteen (13) of Pitzer and Knight's Addition to the Town of Winterset, Madison County, Iowa.

SEAL OF DISTRICT COURT MADISON COUNTY IOWA

Compared

Margaret Wheeler
Clerk of District Court

FILED NO. 1877
BOOK 34 PAGE 544

1983 MAY 17 PM 1:59

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

no fee - filed by Clerk

EEE

FILED
1983 MAY 16 AM 8:53
MARY
CLERK
MADISON COUNTY, IOWA

IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

UNITED FEDERAL SAVINGS BANK OF IOWA, f/k/a United Federal Savings and Loan Association of Des Moines,	)	EQUITY NO. 22367
Plaintiff,	)	
vs.	)	
NOEL E. GODFREY; PATRICIA A. GODFREY; UNION STATE BANK,	)	DECREE
Defendants.	)	

BE IT REMEMBERED that on this 12 day of May, 1983, a regular judicial day of this Court, the above entitled cause came on before the Court for hearing, the Plaintiff appearing by its attorneys, Grant, Lozier & Sarcone, the Defendants not appearing nor filing responsive pleadings nor anyone for them, are hereby declared to be in default.

The Court now from an inspection of the records, files and proofs of service finds that the Defendants herein have been duly and personally served with good and sufficient notice of this action; that none of the Defendants are in the military service of the United States of America, nor are they entitled to any of the privileges under the provisions of the Soldiers' and Sailors' Relief Act of 1940, or amendments thereto; that the parties hereto and the subject matter herein involved are fully within the jurisdiction of this Court.

This cause coming on for final hearing upon Plaintiff's Petition and after seeing and hearing the evidence offered and introduced and being fully advised in the premises, the Court specifically finds:

1. That each and all of the material allegations of Plaintiff's Petition are true.

2. That the equities are with the Plaintiff.

3. That the Promissory Note, Mortgage and all claims declared on by the Plaintiff are genuine, just, due and unpaid as alleged.

4. That the Promissory Note, Mortgage and all claims declared on by the Plaintiff are the Plaintiff's Property.

5. That the Plaintiff is entitled to a judgment and Decree as prayed.

6. That the property has been abandoned by the owners thereof who are liable under the Mortgage and Note herein as shown by an Affidavit filed by the Plaintiff's attorney.

7. That the Plaintiff has waived its rights to a deficiency judgment and is entitled to have the period of redemption reduced to sixty (60) days.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff, United Federal Savings Bank of Iowa, f/k/a United Federal Savings and Loan Association of Des Moines, be and it is hereby given judgment in rem against the mortgaged property herein involved, that is to say the real estate, lands and premises situated, lying and being in the County of Madison, State of Iowa, known and described as follows:

> The South Ninety-three and one-half (93 1/2) feet of Lots Five (5) and Six (6) in Block Thirteen (13) of Pitzer and Knight's Addition to the Town of Winterset, Madison County, Iowa,

in the sum of $33,167.68, the same to bear interest at the rate of 9% per annum from and after May 1, 1983 until fully paid, and for the costs of this action including resonable attorney fees in the sum of $650.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the mortgage declared on in this cause, recorded in Book 124, Page 456 of the Madison County, Iowa records, given to secure the sums aforesaid, be and it is hereby established as a lien upon and against said property from and after the date of said mortgage, viz., August 13, 1976; that the said lien of said mortgage is hereby declared to be superior and paramount to the interests, claims or liens of the Defendants in, to, upon, or against the Defendants, and as against every person claiming by, through or under them; that a special execution issue herein against the mortgaged premises aforesaid to make said judgment with interest and costs, including attorney fees, abstract costs and accruing costs; that said

premises or so much thereof as may be necessary be sold to satisfy the amount due, together with all of said costs according to law; that on or after the date of said sale the Defendants or any person claiming by, through or under them, be forever barred and foreclosed of all interest in or equities to the mortgaged premises, excepting only such rights of redemption as are especially provided by law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the time of redemption from Sheriff's sale is hereby reduced from one year to sixty (60) days, the Plaintiff herein having waived any deficiency judgment and elected to have the period of redemption reduced to sixty (60) days as provided in said mortgage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if the real estate aforesaid or any part of it be sold under execution herein and be not redeemed, as by law provided, a Writ of Possession issue to the Sheriff of Madison County, Iowa, commanding him to put the grantee under Sheriff's Deed in possession of the premises deeded to him.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court retain jurisdiction in this matter until the expiration of the right of redemption and the issuance of a Sheriff's Deed.

Vern Strieker

JUDGE
FIFTH JUDICIAL DISTRICT OF IOWA