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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

## **AFFIDAVIT Recorder's Cover Sheet**

### **Preparer Information:**

Donald F. Neiman, AT0005679  
801 Grand Avenue, Suite 3700  
Des Moines, IA 50309-8004  
Phone: (515) 246-5877

### **Taxpayer Information:**

Carl A. Barr III and LaRay M. Ripperger  
2889 235<sup>th</sup> Street  
St. Charles, IA 50240

### **✓ Return Document To and Grantee:**

Carl A. Barr III and LaRay M. Ripperger  
2889 235<sup>th</sup> Street  
St. Charles, IA 50240

### **Grantor:**

Donald F. Neiman, Bankruptcy Trustee for George Bradley Thayer and Elizabeth Ann Thayer  
Bankruptcy Case No. 11-00635-als7  
801 Grand Avenue, Suite 3700  
Des Moines, IA 50309-8004

### **Legal Description:**

The South Half (S ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Eighteen (18), in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., Madison County, Iowa.

**Document or instrument no. of previously recorded documents:** Book 2016, Page 3546

## AFFIDAVIT

STATE OF IOWA       )  
                                  (ss.  
COUNTY OF POLK    )

I, Donald F. Neiman, being first duly sworn on oath depose and state that on February 25, 2011, George Bradley Thayer and Elizabeth Ann Thayer filed a voluntary Chapter 7 bankruptcy proceeding (Docket Item 1) in the United States Bankruptcy Court, Southern District of Iowa, Central Division, assigned as Bankruptcy Case No. 11-00635-als7. I was appointed as the bankruptcy trustee as set out in the "Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines" (Docket Item 8) filed February 25, 2011.

In accordance with my duties as Chapter 7 bankruptcy trustee, I proceeded to collect and reduce to money property of the estate, made distribution to creditors, and filed a final report (Docket Item 38) and final account (Docket Item 42) of my administration with the Court. The Court on February 23, 2012, filed its Final Decree (Docket Item 44) and closed the bankruptcy case that same day.

Subsequently, information was provided that George Bradley Thayer and/or Elizabeth Ann Thayer transferred approximately 20 acres of real estate in Madison County, Iowa, to a family member within one year prior to their bankruptcy filing. The Chapter 7 bankruptcy case was reopened on March 11, 2016, pursuant to the Court's "Docket Text Order" (Docket Item 47). The Court then re-appointed Donald F. Neiman as the Chapter 7 bankruptcy trustee in its "Notice Appointing Trustee" (Docket Item 48) filed March 14, 2016.

I further depose and state that the 20 acres of real estate, legally described as:

The South Half (S ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Eighteen (18), in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., Madison County, Iowa;

was subsequently recovered by the bankruptcy estate, pursuant to a Warranty Deed dated October 4, 2016, and recorded November 22, 2016, in the Madison County Recorder's Office at Book 2016, Page 3546, wherein the real estate was deeded to "Donald F. Neiman, Trustee in Re: George

Bradley Thayer and Elizabeth Ann Thayer, Debtors, United States Bankruptcy Court Southern District of Iowa, Case No. 11-00634-als7.”

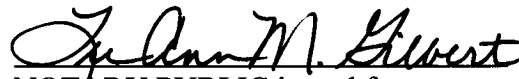
I further depose and state that on January 11, 2017, I filed a “Notice of Intent to Sell Property” (Docket Item 69) pursuant to 11 U.S.C. § 363(b), to sell the 20 acres of real estate. Objection to the sale was filed, and the Court scheduled a hearing on the matter for March 7, 2017. After the hearing, on March 8, 2017, the Court entered its “Minute Order Denying Notice of Intent to Sell Property” (Docket Item 78) which denied the original sale as proposed, and directed the Chapter 7 bankruptcy trustee, Donald F. Neiman, to conduct an auction sale of the real estate and file a report back with the Court on the sale.

Based upon the Court’s order, I conducted an auction sale of the real estate on March 13, 2017, and on March 14, 2017, I filed a “Trustee’s Report of Auction Sale of Real Estate” (Docket Item 79) to sell the above real estate to the highest bidder for the sum of \$125,100.

I further depose and state that in accordance with 11 U.S.C. § 701, I was duly appointed by the United States Bankruptcy Court to administer the Chapter 7 bankruptcy estate of George Bradley Thayer and Elizabeth Ann Thayer. My duties and responsibilities as the Chapter 7 bankruptcy trustee, as promulgated in 11 U.S.C. § 704, were to marshal the assets and reduce those assets to cash, which duties have been fulfilled by the sale of the 20 acres of real estate. This Affidavit is made to clarify the chain of title concerning the real estate described above.

  
DONALD F. NEIMAN

Subscribed and sworn to before me this 26<sup>th</sup> day of April, 2017.

  
NOTARY PUBLIC in and for  
the State of Iowa

