

NOTICE OF SHERIFF'S LEVY AND SALE

STATE OF IOWA  
FREMONT COUNTY

SS: SPECIAL EXECUTION

IOWA DISTRICT COURT  
COURT CASE #EQCV024909  
FREMONT COUNTY

TREYNOR STATE BANK, PLAINTIFF

VS.

DRATS INC. d/b/a TABOR MARKET & DELI and John Doe 1 and Jane Doe 1, DEFENDANTS

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of defendant(s) Real Estate to satisfy the judgment. The property to be sold is described below:

SEE PAGE 2 FOR LEGAL DESCRIPTION

(PROPERTY ADDRESS: 706 MAIN STREET TABOR, IOWA)

The described property, including but not limited to inventory, equipment, and fixtures will be offered for sale at public auction for cash only as follows:

DATE OF SALE: May 7, 2014 TIME OF SALE: 10:30 a.m.  
PLACE OF SALE: Fremont Co. Sheriff's Office, 701 Cass St., Sidney, Iowa

Homestead: Defendant is advised that if the described real estate includes the homestead (which must not exceed 40 Acres), defendant must file a homestead plat with the Sheriff within ten (10) days after service of this notice, or the Sheriff will have it platted and charge the costs to this case.

Redemption: After the sale of real estate, defendant may redeem the property within \_\_\_\_\_.

This sale not subject to redemption.

Property exemption: Certain money or property may be exempt. Contact your attorney promptly to review specific provisions of the law and file appropriate notice, if acceptable.

Judgment	\$	577,184.21	Interest	\$	31,307.21
Attorney Fees	\$	17,422.25	Delinquent Tax	\$	4,321.40
Appraisals	\$	1,250.00	Repairs & Locksmith	\$	876.55
Filing Fee	\$	235.00	Title Reports	\$	175.00
Process Service Fee	\$	22.84			
<b>Together with the Original and Accrued Costs of Suit</b>					

ATTORNEY: BRANDON R. TOMJACK  
402-344-0500

KEVIN AISTROPE, FREMONT COUNTY SHERIFF

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**Notice of Sheriff's Levy & Sale**

**Treynor State Bank vs Drats, Inc. et al**

A tract comprised of Lots 2 and 3 and the North 93 feet of the West 15 feet of Lot 24, all of the subdivision of Lots 4, 5 and 6 in Block 9, City of Tabor, Fremont County, Iowa (predicated upon the recognition that Lot 1 of said Subdivision is 47 feet wide, Lot 2 is 50 feet wide, and Lot 3 is 43 feet wide) with the following exceptions therefrom; From the South side of said tract (being from Lot 2 and adjacent Lot 24) the South 23 feet 9 inches of the West 38 feet 7 inches and the South 15 feet 7 inches of the East 76 feet 5 inches; from the North side thereof (being from Lot 3 and adjacent Lot 24) the North 2 feet 6 inches thereof, and an additional exception from Lot 3 described as commencing at a point 2 feet 6 inches South of the Northwest corner of said Lot 3, thence South 20.8 feet; thence East 55 feet, thence North 20.8 feet, and thence West 55 feet to the Point of Beginning:

Together with

The South 15 feet 7 inches of the North 100 feet of the West 15 feet of Lot 24 and the South 23 feet 9 inches of the West 38 feet 7 inches and the South 15 feet 7 inches of the East 61 feet 5 inches of Lot 2, all in the subdivision of Lots 4, 5 and 6 in Block 9, City of Tabor Fremont County, Iowa, according to the recorded plat thereof, said tract in Lot 2 being more particularly described as: Commencing at the Southwest Corner of said Lot 2 (being on the Street line as distinguished from any portion of said Lot that may be in Main Street) thence North along said Street line a distance of 23 feet 9 inches, thence East a distance of 38 feet 7 inches to the center of a concrete block wall, thence South centering said wall a distance of 8 feet 2 inches to a point centering a concrete block wall extending to the East (said point being also 15 feet 7 inches North of the South line of said Lot 2, thence East centering said concrete block wall to the Eastern extremity thereof and continuing thence paralleling the South line of said Lot 2 to a point on the East line thereof 15 feet 7 inches North of the Southeast corner thereof, thence South to the Southeast corner of said Lot 2 and West along the South line thereof to the point of beginning:

Together with

That part of Lot 5 in Block 9 in the City of Tabor, Fremont County, Iowa, described as: Commencing at a point in the center of Orange Street, 115 feet East of a stone in the center of Main and Orange Streets in the City of Tabor, Fremont County, Iowa, thence East 25 feet, thence North 80 feet, thence West 25 feet, thence South 80 feet to the point of beginning. Also, the South 50 feet of the West 15 feet of Lot 24 of the new subdivision of Lot 5 in Block 9, in the City of Tabor, Fremont County, Iowa.

All of the above to now be known as:

PARCEL D:

A parcel of land located in part of Lots 1, 2, 3 and 24 in the Subdivision of Lots 4, 5 and 6 in Block 9 in the City of Tabor, Fremont County, Iowa, said parcel being more fully described as follows:

Commencing at the Southwest Corner of said Lot 1 in Block 9 in the City of Tabor, Fremont County, Iowa; thence N01°21'27"W along the West line of said Lot 1 and along the Easterly right of way line of Main Street a distance of 47.00 feet to the Point of Beginning, thence continuing N01°21'27"W along said right of way line a distance of 69.70 feet to a common wall; thence N88°14'02"E along said common wall and its extension a distance of 55.00 feet; thence N01°21'27"W a distance of 20.80 feet; thence N88°14'02"E a distance of 45.00 feet to the West line of said Lot 24; thence N01°21'27"W along said West line of said Lot 24 a distance of 12.50 feet to the Northwest Corner of said Lot 24; thence N88°14'02"E along the North line of said Lot 24 a distance of 15.00 feet; thence S01°21'27"E a distance of 150.00 feet to the South line of said Lot 24 and the North right of way line of Orange Street; thence S88°14'02"W along said North right of way line a distance of 40.00 feet; thence N01°21'27"W a distance of 47.00 feet; thence S88°14'02"W a distance of 75.00 feet to the Point of Beginning. Said parcel contains 11,330 square feet, more or less, and is subject to all easements of record.

Note: The East right of way line of Orange Street is assumed to bear N01°21'27"W for this description.