

NOTICE OF SHERIFF'S LEVY AND SALE

STATE OF IOWA

SS:

SPECIAL EXECUTION

IOWA DISTRICT COURT

COURT CASE #EQCV024838

FREMONT COUNTY

FREMONT COUNTY

TREYNOR STATE BANK, PLAINTIFF

VS.

BOB DUNCAN a/k/a ROBERT DUNCAN a/k/a ROBERT W. DUNCAN And MELISSA DUNCAN, Husband and Wife; BENEFICIAL IOWA, INC.; ARROW FINANCIAL SERVICES, L.L.C.; STEVEN F. SOMMERS, II; UNITED STATES OF AMERICA; PHILIP K. PENNEY; HARVEY MOYER; UNKNOWN OCCUPANT, 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: 2464 220TH STREET THURMAN, IOWA)

The described property will be offered for sale at public auction for cash only as follows:

DATE OF SALE: January 15, 2014 **TIME OF SALE:** 10:00 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.

 X Redemption: After the sale of real estate, defendants may redeem the property within one year, subject to the provisions of Iowa Code Section 628.3 and 28 U.S.C.A. Section 2410, as applicable.

_____ This sale not subject to redemption.

 X 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	\$	328,811.06	Interest	\$	2,129.98
Attorney Fees	\$	35,056.34	Court Costs	\$	562.08
Accrued Costs	\$	50.00			
Together With the Original and Accrued Costs of Suit					

ATTORNEY: Frank W. Pechacek, Jr.
712-322-6000

KEVIN AISTROPE, FREMONT COUNTY SHERIFF

LEGAL DESCRIPTION:

PARCEL A - A parcel of land located in part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 68 North, Range 43 West of the 5th P.M., Fremont County, Iowa, more fully described as follows: Commencing at the NE corner of said Section 12; thence S88°27'37"W along the North line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance 568.16 feet to the point of beginning; thence S00°03'46"W a distance of 240.00 feet; thence S88°27'37"W a distance of

453.75 feet; thence N00°03'45"E a distance of 240.00 feet to the North line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence N88°27'37"E along said North line a distance of 453.75 feet to the point of beginning. Said parcel contains 2.50 acres, more or less, including presently established county road right-of-way (0.26 acres). Note: The North line of the NE $\frac{1}{4}$ of said Section 12 is assumed to bear N88°27'3"E for this description.

AND The W $\frac{1}{2}$ of the South 26 $\frac{2}{3}$ acres of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 69 North, Range 42, West of the 5th P.M., in Fremont County, Iowa.

AND The East 10 acres of the W $\frac{1}{2}$ NE Frl. $\frac{1}{4}$ and the West 30 acres of the E $\frac{1}{2}$ NE Frl. $\frac{1}{4}$, all in Section 12, Township 68 North, Range 43, in Fremont County, Iowa,

Excepting therefrom the following described tract: Commencing at the NE corner of said Section 12; thence S88°27'37"W along the North line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance 568.16 feet to the Point of Beginning; thence S00°03'46"W a distance of 240.00 feet; thence S88°27'37"W a distance of 453.75 feet; thence N00°03'45"E a distance of 240.00 feet to the North line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence N88°27'37"E along said North line a distance of 453.75 feet to the Point of Beginning. Said parcel contains 2.50 acres, more or less, including presently established county road right-of-way (0.26 acres). Note: The North line of the NE $\frac{1}{4}$ of said Section 12 is assumed to bear N88°27'3"E for this description.