

United States Bankruptcy Court

FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA
OCT 22 1981
BARBARA A. EVERLY, CLERK

IN RE:

BANKRUPTCY NO.

ROBERT EUGENE DUNLAP
DONNA JEANE DUNLAP
dba B & D Feed Service

80-03295

Debtors.

DAVID M. NELSEN, Trustee in
this Bankruptcy Proceeding,

ADVERSARY NO. 81-0517

Plaintiff,

vs.

J U D G M E N T

JIM ESSER
MIKE PAULUS and
JERRY STUFFLEBEAM

Defendants

Pursuant to the Order of September 4, 1981, in Adversary File No. 81-0517;

IT IS ORDERED David M. Nelsen, Trustee in this Bankruptcy Proceeding, recover of Defendant Jim Esser the sum of Three Thousand One Hundred Dollars (\$3,100.00), with no provision for interest.

IT IS FURTHER ORDERED this Judgment shall be entered in the Docket of the Clerk of this Court, and that notice of the entry of this Judgment shall be given by ordinary mail to David M. Nelsen, Trustee/Plaintiff; and to Jim Esser, Defendant.

ORDERED October 22, 1981



WILLIAM W. THINNES
Bankruptcy Judge

Copy mailed to
parties above
set forth
this October 22, 1981
Louise J. Wortman
Deputy Clerk,
U. S. Bankruptcy Court
P. O. Box 4371
Cedar Rapids, IA 52407

Recorded:
Volume 1
Page 28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

EASTERN DIVISION

OCT 23 1982

Robert & Donna Dunlap)
d/b/a B & D Feed Service)
vs.)
Jim Esser, et al.)

) BARBARA A. EVERLY, CLERK
) No. 80-03295
) Adversary No. 81-0517
) U. S. Marshal's Return

I hereby certify and return that I received the Writ of Special Execution at Cedar Rapids, Iowa on September 14, 1982 at 8:00 a.m. and by virtue thereof, I levied upon the described property to wit:

Lots Nine (9) and Fifteen (15) in the James Lin Addition in the Northeast Quarter (NE $\frac{1}{4}$) of Section 29, Township 96 North, Range 18 West of the 5th P.M., which lies West of the Shellrock River, in Floyd County, Iowa.

Said levy was executed by making an entry in the Incumbrance Book "E", page 56 at the Floyd County Courthouse in Charles City, Iowa on September 15, 1982.

The Notice of Judicial Sale of the above described property was published and posted as evidenced by the attached U. S. Marshal's Return marked Exhibit "A" together with the proof of publication marked Exhibit "B".

The Notice of Marshal's Sale to Debtors and Tenants in Possession was served as evidenced by the attached U. S. Marshal's Return marked Exhibit "C".

I further certify and return that I did on the 22nd day of October 1982 at the front door of the Floyd County Courthouse in Charles City, Iowa offer the real estate described above for sale to the highest and best bidder. No bids were received, thus the Execution is being returned unsatisfied at the request of the Plaintiff's Attorney, David M. Nelsen.

COSTS:

Service Fees	\$ 9.00
Mileage	64.32
Publication	<u>64.24</u>
Total Costs	137.56

James P. Jonker, U. S. Marshal

By,

Robert L. Hamann
Robert L. Hamann, Inspector

*re Volume I
Page 28*

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF Robert & Donna Dunlap dba B & D Feed Service, Debtors. David M. Nelsen, Trustee in this Bankruptcy Proceeding	COURT CASE NUMBER 80-03295 Adversary No. 81-0517
DEFENDANT Jim Esser, etc.	TYPE OF PROCESS Writ of Special Execution

PERSON TO SERVE NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Jim Esser
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Rural Route 2, Nora Springs, Iowa 50458

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: David M. Nelsen Nelsen & Folkers 200 Brick & Tile Building Mason City, Iowa 50401	Number of process to be served with this Form-285 1
	Number of parties to be served in this case 1
	Check for service on U.S.A. <input type="checkbox"/>

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Levy upon the following described property:
 Lots Nine (9) and Fifteen (15) in the James Lin Addition in the Northeast Quarter (NE $\frac{1}{4}$) of Section 29, Township 96 North, Range West of the 5th P.M., which lies West of the Shellrock River, in Floyd County, Iowa.

RECEIVED
 U.S. MARSHAL
 SEP 14 10 30 AM '82
 NORTHERN DISTRICT OF IOWA

nature of Attorney or other Originator requesting service on behalf of: <i>David M. Nelsen</i> David M. Nelsen	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (515) 424-5188	DATE 9/3/82
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

Knowledge receipt for the total number of process indicated on only first USM 285 if more than one USM 285 is submitted	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk <i>DJR</i>	Date 9-14-82
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
--	---

Address (complete only if different than shown above)	Date of Service 10-22-82	Time 10:00 am
	Signature of U.S. Marshal or Deputy <i>Robert P. Haman</i>	

Service Fee 2.00	Total Mileage Charges (including endeavors) 29.32	Forwarding Fee	Total Charges 31.32	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
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REMARKS:
 INCUMBRANCE BK "E" - PG 56 - 9-15-82
 10 BIDS WERE RECEIVED, EXECUTED RETURNED UNSATISFIED AT THE REQUEST OF ATTY. DAVID NELSEN.

SALE 10-22-82 10:00 AM

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or legibly, insuring readability of all copies. Do not detach a copies.

PLAINTIFF Robert & Donna Dunlap dba B & D Feed Service, Debtors. David M. Nelsen, Trustee in this Bankruptcy Proceeding	COURT CASE NUMBER 80-03295 Adversary No. 81-0517
DEFENDANT Jim Esser, etc.	TYPE OF PROCESS Notice of Judicial Sale

SERVE
➔
AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
See below

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: David M. Nelsen Nelsen & Folkers 200 Brick & Tile Building Mason City, Iowa 50401	Number of process to be served with this Form-285	1
	Number of parties to be served in this case	1
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and State addresses, Telephone Numbers, and Estimated Times Available For Service):

Post and publish in accordance with Judgment and Section 2007 of the U.S. Code in the Nora Springs Advertiser

**RECEIVED
U.S. MARSHAL
SEP 14 10 30 AM '82
NORTHWEST DISTRICT OF IOWA**

Signature of Attorney or other Originator requesting service on behalf of: <i>David M. Nelsen</i> David M. Nelsen	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (515) 424-5188	DATE 9/3/82
--	---	---	-----------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk <i>DOR</i>	Date 9-14-82
---	---------------	----------------------------------	---------------------------------	--	------------------------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service 9-15-82 Time 11:00 am/pm
	Signature of U.S. Marshal or Deputy <i>Robert J. Hamann</i>

Service Fee 3.00	Total Mileage Charges (including endeavors) other 285	Forwarding Fee -0-	Total Charges 3.00	Advance Deposits	Amount owed to U.S. Marshal or Amount of Refund (Check enclosed)
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REMARKS:
 PUBLISHED IN LOCAL NEWSPAPER NORA SPRINGS, IA - SEPT 23-30 & OCT 7-14, 1982
 POSTED IN FLOYD Co. CO. HOUSE - CHARLES CITY, IA - 9-15-82
 " " U.S. COURT HOUSE - CEDAR RAPIDS, IA - 9-16-82
 " " U.S. POST OFFICE - NORA SPRINGS, IA - 9-16-82
 " " U.S. " " - CHARLES CITY, IA - 9-15-82
 COPY OF NOT. OF SALE TO ATTORNEY NELSON ON 9-17-82.

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

IN RE: : Bankruptcy No. 80-03295
ROBERT EUGENE DUNLAP :
DONNA JEANE DUNLAP :
dba B & D Feed Service, : Adversary No. 81-0517
Debtors. :

DAVID M. NELSEN, Trustee in :
this Bankruptcy Proceeding, : NOTICE OF JUDICIAL SALE
Plaintiff, :
vs. :
JIM ESSER, et al. :
Defendant. :

Public Notice is hereby given that by virtue of a Writ of Special Execution dated the 9th day of September, 1982, made after the entry of Judgment rendered in the United States Bankruptcy Court for the Northern District of Iowa on the 22nd day of October, 1981, in said cause in favor of the Plaintiff, Debtors, and Trustee, David M. Nelsen, and against the Defendant Jim Esser.

I have this 15th day of September, 1982, levied upon the following described real estate:

Lots Nine (9) and Fifteen (15) in the James Lin Addition in the Northeast Quarter (NE $\frac{1}{4}$) of Section 29, Township 96 North, Range 18 West of the 5th P.M., which lies West of the Shellrock River, in Floyd County, Iowa.

I will accordingly offer said property at public sale to the highest and best bidder for cash, on the 22nd day of October, 1982, at 10:00 o'clock a.m., at the front door of the Floyd County Courthouse at Charles City, Iowa, to satisfy said Judgment in the amount of \$3,100.00, plus all costs of suit and Court costs.

JAMES P. JONKER
United States Marshal

By Robert L. Haman
Deputy

exhibit "A"

PUBLISHER'S AFFIDAVIT

IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR FLOYD COUNTY

STATE OF IOWA)
 COUNTY OF FLOYD) ss.

I, DAN CUTLER BEING FIRST
 DULY SWORN ON OATH, DEPOSE AND SAY
 THAT I AM THE PUBLISHER OF
 THE NORA SPRINGS ADVERTISER, A WEEKLY
 NEWSPAPER PUBLISHED AT NORA SPRINGS,
 FLOYD COUNTY, IOWA, AND THAT THE AN-
 NEXED Notice of Bankruptcy

WAS PUBLISHED IN SAID NEWSPAPER FOR
4 CONSECUTIVE WEEKS AND THAT THE
 DATES OF SAID PUBLICATIONS WERE:

 Sept. 23 19 82
 AND Sept. 30 19 82
 AND Oct. 7 19 82
 AND Oct. 14 19 82
 Dan Cutler

SWORN TO BEFORE ME AND SUBSCRIBED IN
 MY PRESENCE THIS 29th DAY OF

[Signature] A. D., 19 82

**NORTHERN DISTRICT
 OF IOWA, CENTRAL DIVI-
 SION**

Bankruptcy No. 80-03205
 In Re:
 Robert Eugene Dunlap
 Deceased; Jeane Dunlap
 His E & D Feed Service
 Debtors.
 Adversary No. 81-0517

Notice of Judicial Sale
 David M. Nelsen, Trustee
 in the Bankruptcy Proceed-
 ing, Plaintiff,
 vs.
 Jim Egan, et al, Defendant.

Public Notice is hereby
 given that by virtue of a
 Writ of Special Execution
 dated the 9th day of Sep-
 tember, 1982, and after
 the entry of Judgment
 rendered in the United
 States Bankruptcy Court
 for the Northern District
 of Iowa on the 23rd day
 of October, 1982, in said
 case in favor of the Plain-
 tiff, Debtor, and Trustee,
 Bankruptcy No. 80-03205,
 against the Defendant, Jim

 I will accordingly offer
 said property at public
 sale to the highest bidder
 bidder for cash, on the
 22nd day of October, 1982,
 at 10:00 o'clock a. m., at
 the front door of the Floyd
 County Courthouse at Char-
 les City, Iowa, to wit:
 All unimproved land
 of \$3,100.00, plus all
 costs of suit and Court costs.

James P. Jonker
 United States Trustee
 By Robert E. [Signature]

exhibit "B"

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETL**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF Robert & Donna Dunlap dba B & D Feed Service, Debtors.
David M. Nelsen, Trustee in this Bankruptcy Proceeding

COURT CASE NUMBER
80-03295
Adversary No. 81-0517
TYPE OF PROCESS Notice to Debtors & Judgment

DEFENDANT Jim Esser, etc.

SERVE
➔
AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Jim Esser
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
Rural Route 2, Nora Springs, Iowa 50458

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

David M. Nelsen
Nelsen & Folkers
200 Brick & Tile Building
Mason City, Iowa 50401

Number of process to be served with this Form-285

1

Number of parties to be served in this case

Check for service on U.S.A.

RECEIVED
U.S. MARSHAL
SEP 14 10 31 AM '82
NORTHERN DISTRICT OF IOWA

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

*2 1/2 miles S.
1st. LEFT S. 3/4 mile - m.d.p.
TRAILER*

Signature of Attorney or other Originator requesting service on behalf of:

PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER
(515) 424-5188

DATE
9/3/82

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

District of Origin
No. 29

District to Serve
No. 29

Signature of Authorized USMS Deputy or Clerk
DdR

Date

9/14-82

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I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service
9-16-82

Time
9:00 am

Signature of U.S. Marshal or Deputy

Robert L. Haman

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
3.00	36.00	-	39.00			

REMARKS:

300 MILES

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

IN RE: : Bankruptcy No. 80-03295
ROBERT EUGENE DUNLAP :
DONNA JEANE DUNLAP :
dba B & D Feed Service, : Adversary No. 81-0517
Debtors. :

DAVID M. NELSEN, Trustee in :
this Bankruptcy Proceeding, : NOTICE OF UNITED STATES
Plaintiff, : MARSHAL'S SALE TO DEBTORS
AND TENANTS IN POSSESSION
vs. :
JIM ESSER, et al. :
Defendant. :
--- --- ---

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JAMES P. JONKER
United States Marshal

By Robert L. Hamann
Deputy

exhibit "C"

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

SEP 17 1982

BARBARA A. EVERLY, CLERK

IN RE: : Bankruptcy No. 80-03295
ROBERT EUGENE DUNLAP :
DONNA JEANE DUNLAP :
dba B & D Feed Service, : Adversary No. 81-0517
Debtors. :

DAVID M. NELSEN, Trustee in :
this Bankruptcy Proceeding, : NOTICE OF JUDICIAL SALE
Plaintiff, :
vs. :
JIM ESSER, et al. :
Defendant. :

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JAMES P. JONKER
United States Marshal

By Robert L. Haman
Deputy

cc: Bankruptcy-CR 9/17/82 ✓