

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

AUG 06 1990

BARBARA A. EVERLY, CLERK

United States Bankruptcy Court

For the NORTHERN District of IOWA

Chapter 7

IN RE:

RICHARD GRELL and
SALLY GRELL,

Debtors.

}

Case No. X89-00908S

Contested No. 2102

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

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[OR]

The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED:

that debtors' Motion to Avoid Lien Impairing Debtors' Exemptions is hereby granted pursuant to § 522(f)(1) of the Bankruptcy Code and the following liens are hereby avoided as Judicial Liens which impair an exemption to which the debtors would have been entitled under § 561.16, Code of Iowa, namely debtors' Homestead Exemption on the following described real estate:

Lot Seven (7), except the North Thirty-five Feet (35') thereof, and Lot Eight (8) in Block One (1), Ferry's Second Addition to the Town of Cushing, in the County of Woodbury and State of Iowa.

The Community Cooperative Oil Company judgment lien entered in the Iowa District Court for Woodbury County - Small Claims Division on March 9, 1984, in the matter of Community Cooperative Oil Company, Plaintiff vs. Richard Grell, Defendant, Small Claims No. 23852.



The Terra Chemicals International judgment lien entered in the Iowa District Court for Woodbury County on November 21, 1985, in the matter of Terra

Chemicals International,
Plaintiff v. Richard Grell, Defendant

BARBARA A. EVERLY

Clerk of Bankruptcy Court

and docketed in Book 103, page 325 in
[Seal of the U.S. Bankruptcy Court] the office of the
Woodbury County Clerk of Court.

Date of issuance: 8-6-90

By: Larrie McElroy
Deputy Clerk

IN RE:

RICHARD GRELL and
SALLY GRELL,

Debtors.

Chapter 7
Case No. X89-00908S
Contested No. 2102

(judgment continued)

The Gibbs-Cook Equipment Co. judgment lien entered in the Iowa District Court for Woodbury County on November 4, 1987, in the matter of Gibbs-Cook Equipment Co., Plaintiff v. Richard Grell d/b/a Grell Dirt Construction, Defendant and docketed in Book 12, page 321 in the office of the Woodbury County Clerk of Court.

The Allied Collection Service, Inc., judgment lien entered in the Iowa District Court for Woodbury County on December 16, 1987, in the matter of Allied Collection Service, Inc., Plaintiff v. Richard Grell and Mrs. Richard Grell, Defendants and docketed in Book 117, page 27, in the office of the Woodbury County Clerk of Court.

The Farm Credit Bank of Omaha judgment lien entered in the Iowa District Court for Woodbury County on February 27, 1989, in the matter of Farm Credit Bank of Omaha, Plaintiff v. Richard E. Grell and Sally I. Grell, Defendants and docketed in Book 122, page 104 in the office of the Woodbury County Clerk of Court.

*copies with order
8-6-90, ym*

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

AUG 06 1990

BARBARA A. EVERLY, CLERK

IN RE: * CHAPTER 7
RICHARD AND SALLY * CASE NO. X-89-00908S
GRELL, * CONTESTED NO. 2102
*
Debtors. ORDER AVOIDING LIEN
* * * * *

The matter of Debtors' Motion to Avoid Lien Impairing Debtors Exemption filed herein on June 20, 1990, comes on before the Court, and the Court having reviewed the file finds that Notice of such Motion was given to Community Cooperative Oil Company; Terra Chemicals International; Gibbs-Cook Equipment Co.; Allied Collection Service, Inc.; Farm Credit Bank of Omaha; Wil L. Forker, Trustee; and Wesley B. Huisinga, U.S. Trustee; on or about June 20, 1990, and no objections to said Motion have been filed herein.

It is hereby ordered that Debtors' Motion to Avoid Lien Impairing Debtors Exemptions is hereby granted pursuant to §522(f)(1) of the Bankruptcy Code and the following liens are hereby avoided as Judicial Liens which impair an exemption to which the Debtors would have been entitled to under §561.16, Code of Iowa, namely Debtors' Homestead Exemption on the following-described real estate:

Lot Seven (7), except the North Thirty-five Feet (35') thereof, and Lot Eight (8) in Block One (1), Ferry's Second Addition to the Town of Cushing, in the County of Woodbury and State of Iowa.

The Community Cooperative Oil Company judgment lien entered in the Iowa District Court for Woodbury County - Small Claims Division on March 9, 1984, in the matter of Community Cooperative Oil Company, Plaintiff vs. Richard Grell, Defendant, Small Claims No. 23852.

The Terra Chemicals International judgment lien entered in the Iowa District Court for Woodbury County on November 21, 1985, in the matter of Terra Chemicals International, Plaintiff v. Richard Grell, Defendant and docketed in Book 103, page 325 in the office of the Woodbury County Clerk of Court.

The Gibbs-Cook Equipment Co. judgment lien entered in the Iowa District Court for Woodbury County on November 4, 1987, in the matter of Gibbs-Cook Equipment Co., Plaintiff v. Richard Grell d/b/a Grell Dirt Construction, Defendant and docketed in Book 12, page 321 in the office of the Woodbury County Clerk of Court.

The Allied Collection Service, Inc., judgment lien entered in the Iowa District Court for Woodbury County on December 16, 1987, in the matter of Allied Collection Service, Inc., Plaintiff v. Richard Grell and Mrs. Richard Grell, Defendants and docketed in Book 117, page 27, in the office of the Woodbury County Clerk of Court.

The Farm Credit Bank of Omaha judgment lien entered in the Iowa District Court for Woodbury County on February 27, 1989, in

the matter of Farm Credit Bank of Omaha, Plaintiff v. Richard E. Grell and Sally I. Grell, Defendants and docketed in Book 122, page 104 in the office of the Woodbury County Clerk of Court.

DATED this 3rd day of August, 1990.



WILLIAM L. EDMONDS
UNITED STATES BANKRUPTCY JUDGE

Prepared by: Duane E. Hoffmeyer, Attorney for Debtor

cc: Community Cooperative Oil Company
Terra Chemicals International
Gibbs-Cook Equipment Co.
Allied Collection Service
~~Farm Credit Bank of Omaha~~ *FAB*
Wil L. Forker, Trustee
Wesley B. Huisinga, U. S. Trustee

Duane Hoffmeyer

*8-6-90
Jm*