

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

# United States Bankruptcy Court

For the NORTHERN District of IOWA

AUG 10 1990

Chapter 7

BARBARA A. EVERLY, CLERK

Case No. X90-00508F

IN RE:

ROBERT T. BODENSTEINER,

Debtor.

## 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,

[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 Rhonda Hoover has a lien on the following real property located in Webster County, Iowa:

A parcel of land in the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 16, township 89 North, Range 28, described as follows:

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copies mailed with order  
8/10/90, *ym*

BARBARA A. EVERLY  
Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: 8-10-90

By Lamin McElhony

Beginning on the North line of the SW1/4 of the NW1/4 of Section 16, Township 89 North, Range 28, West 5th P.M., at the intersection of said line with the easterly right of way line of the public highway, (said north line of the Southwest Quarter of the Northwest Quarter being the line established by present property division fence line); thence East 142.18 feet along said North line of SW1/4 of the NW1/4; thence southwesterly 174.75 feet to a point on the northerly line of the Easterly and Westerly road or street established by "Plat of Rodenborn's Subdivision of Part of the N1/2 of the North Half (N1/2) of the S1/2 of the NW1/4, Section 16, Township 89, Range 28, Webster County, Iowa", said point being 85.50 feet Westerly from the southwesterly corner of Lot 2 of said Rodenborn's Subdivision; thence to the right at an angle of 83 degrees 35 minutes for a distance of 219.49 feet along the Northerly line of said street established by Plat of Rodenborn's Subdivision, to a point on the Easterly right of way line of the public highway, thence northeasterly 198.35 feet along said easterly right of way line to the point of beginning.

The lien impairs an exemption to which the debtor would have been entitled under 11 U.S.C. § 522(b).

The lien is a judicial lien pursuant to a judgment against the debtor in the Iowa District Court for Webster County, Case No. C-1011-0190.

IT IS FURTHER ORDERED that the lien is avoided.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

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

AUG 10 1990

BARBARA A. EVERLY, CLERK

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IN RE: : Chapter 7 Bankruptcy  
: Case No. X90-00508F  
ROBERT T. BODENSTEINER, :  
: ORDER AVOIDING LIEN WHICH  
Debtor. : IMPAIRS DEBTOR'S EXEMPTION

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The above-captioned motion duly came on for hearing before the undersigned Bankruptcy Judge, in his Courtroom on the 9<sup>th</sup> day of August, 1990. The Court finds that a Notice of Motion to Avoid Lien was mailed to the Lien Creditor on June 13, 1990, advising them that objections to the Motion shall be filed with the Clerk of Bankruptcy Court, 117 U.S. Courthouse, 320 Sixth Street, Sioux City, Iowa 51101, within twenty (20) days from the date of the Notice. No objection was filed.

It appearing to the Court that:

1. Rhonda Hoover has a lien on the following real property located in Webster County, Iowa, to wit:

A parcel of land in the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 16, Township 89 North, Range 28, described as follows:

Beginning on the North line of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 16, Township 89 North, Range 28, West 5th P.M., at the intersection of said line with the easterly right of way line of the public highway, (said north line of the Southwest Quarter of the Northwest Quarter being the line established by present property division fence line); thence East 142.18 feet along said North line of SW $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence south-westerly 174.75 feet to a point on the northerly line of the Easterly and Westerly road or street established by "Plat of Rodenborn's Subdivision of Part of the N $\frac{1}{2}$  of the North Half (N $\frac{1}{2}$ ) of the S $\frac{1}{2}$  of the NW $\frac{1}{4}$ , Section 16, Township 89, Range 28, Webster County, Iowa", said point being 85.50 feet Westerly

from the southwesterly corner of Lot 2 of said Rodenborn's Subdivision; thence to the right at an angle of 83 degrees 35 minutes for a distance of 219.49 feet along the Northerly line of said street established by Plat of Rodenborn's Subdivision, to a point on the Easterly right of way line of the public highway, thence northeasterly 198.35 feet along said easterly right of way line to the point of beginning.

2. The Lien impairs an exemption to which the Debtor would have been entitled under 11 USC §522(b).

3. The Lien is a judicial lien pursuant to a judgment against the Debtor in the Iowa District Court for Webster County, Case No. C-1011-0190.

And good cause appearing therefore, it is ORDERED, ADJUDGED AND DECREED, that the Lien be and the same hereby is, avoided.

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

*So ordered*  
*August 9, 1990*

BY THE COURT

  
\_\_\_\_\_  
Bankruptcy Judge

cc: Charles Walker  
Habbo Fokkena  
U. S. Trustee  
8/10/90, *Jm*