

JDG-ADVH  
(4/91 IAN)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

MAR 26 1992

In re:

CHAPTER 7  
Case No.

BARBARA A. EVERLY, CLERK

RON A. SCHANBACHER, JR.,  
JENNIFER L. SCHANBACHER,  
Debtor

L-91-02077-C

RON A. SCHANBACHER, JR.,  
JENNIFER L. SCHANBACHER,  
Plaintiff

v.

PURINA MILLS, INC.,  
Defendant

Adversary Proceeding No.  
L-92-0005-C

**JUDGMENT**

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

IT IS ORDERED AND ADJUDGED: That the plaintiffs' Motion for Default Judgment is granted and the lien claim of Purina Mills, Inc. in and to the homestead property of plaintiffs legally described as follows, to-wit:

All that part of Section 27, T. 84 N., R. 9 W of the 5th P.M., Benton County, Iowa, bounded and described as follows: Beginning at North 1/4 Corner said Section, thence along north line thereof, on an assumed bearing, West 67.6 feet; thence, S 1°44' W. 275.6 feet; thence, S88° 16' E. 258.2 feet; thence, N 0° 17' E. 284.6 feet to said North line; thence, along last said line, S. 89° 36' W. 183.5 feet to beginning. Containing 1.64 acres, more or less, including that part now used and acknowledged as public road.

pursuant to a certain October 5, 1990 Assignment filed of record with the Benton County Recorder's office on October 10, 1990 in Book 233 at Page 181 is void and nullified and that the Defendant, Purina Mills, Inc. shall have no lien, claim nor interest in and to the aforementioned homestead property of the Plaintiffs.



[Seal of the U.S. Bankruptcy Court]  
Date of Issuance: March 26, 1992

BARBARA A. EVERLY  
Clerk of Bankruptcy Court

By: *Michael A. Goloff*  
Deputy Clerk

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UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

MAR 25 1992

IN RE:	)	Chapter 7	BARBARA A. EVERLY, CLERK
	)		
RON A. SCHANBACHER, JR.,	)	BANKRUPTCY NO. L-91-02077C	
JENNIFER L. SCHANBACHER,	)		
	)		
Debtors.	)		
<hr/>			
RON A. SCHANBACHER, JR. and	)		
JENNIFER L. SCHANBACHER,	)	ADVERSARY NO. L92-0005C	
	)		
Plaintiffs,	)		
	)		
vs.	)	ORDER GRANTING PLAINTIFFS'	
	)	MOTION FOR DEFAULT	
PURINA MILLS, INC.,	)	JUDGMENT	
	)		
Defendant.	)		

AND NOW on the 25<sup>th</sup> day of March, 1992 the Motion for Default Judgment filed by the Plaintiffs in this adversary proceeding comes on before the Court. The Court having reviewed the adversary file finds that the Plaintiffs' Complaint was filed on January 10, 1992. The Court further finds that this is a core proceeding and that the Court has jurisdiction of the Defendant. The Court finds that more than 30 days has passed since due and proper service of the Summons and Notice and Complaint upon the Defendant and that the Defendant is in default. The Court finds that the Plaintiffs are entitled to the relief requested in the Plaintiffs' Complaint.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiffs' Motion for Default Judgment is granted.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the lien claim of Purina Mills, Inc. in and to the homestead property of the Plaintiffs legally described as follows, to-wit:

All that part of Section 27, T. 84 N., R. 9 W of the 5th P.M., Benton County, Iowa, bounded and described as follows: Beginning at North ½ Corner said Section, thence along north line thereof, on an assumed bearing, West 67.6 feet; thence, S 1°44' W. 275.6 feet; thence, S88° 16' E. 258.2 feet; thence, N 0° 17' E. 284.6 feet to said North line; thence, along last said line, S. 89° 36' W. 183.5 feet to beginning. Containing 1.64 acres, more or less, including that part now used and acknowledged as public road.

pursuant to a certain October 5, 1990 Assignment filed of record with the Benton County Recorder's Office on October 10, 1990 in Book 233 at Page 181 is void and nullified and that the Defendant, Purina Mills, Inc. shall have no lien, claim nor interest in and to the aforementioned homestead property of the Plaintiffs.

  
MICHAEL J. MELLODY  
U.S. Bankruptcy Court Judge

Order Prepared By:  
H. Raymond Terpstra II  
830 Higley Building  
Cedar Rapids, IA 52401  
(319) 364-2467

Copy w/judgment to  
H. Raymond Terpstra II  
Lynn Wiese  
U.S. Trustee  
this March 26, 1992 mg