

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

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

NOV 26 1996

GEORGE D. PRENTICE, II

In re:

RANDY LYNN MILLER and
MARY ANN MILLER,

Debtors.

chapter 7

Bankruptcy No. 96-52213XS
Contested No. 6146

JUDGMENT

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, ADJUDGED AND DECREED that the judgment lien of L.F. Noll, Inc. arising in Case No. 94-0369 in the South Dakota Circuit Court for Union County, in

Lot Eight (8), Block Forty-two (42), Hornicks 3rd
Addition, City of Sioux City, County of Woodbury and
State of Iowa

is avoided.

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George D. Prentice, II
Clerk of Bankruptcy Court

By: *George D. Prentice, II*
Deputy Clerk

[Seal of the U.S. Bankruptcy Court]
Date of Issuance: November 26, 1996

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FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

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U.S. BANKRUPTCY COURT X
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IN RE RANDY LYNN MILLER AND MARY ANN MILLER, Debtors.	CHAPTER 7 CASE NO. X-96-52213XS CONTESTED NO. 6146
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GEORGE D. PRENTICE, II

JUDGMENT AVOIDING LIEN WHICH IMPAIRS DEBTOR'S EXEMPTION

The above-captioned adversary proceeding duly came on before the undersigned Bankruptcy Judge on the 26 day of Nov, 1996. The Debtors appeared by their attorney, Craig H. Lane. L.F. Noll, Inc. appear not nor any one for them.

It appearing to the Court that:

1. That L.F. Noll, Inc., obtained Judgment against the Debtors in the approximate sum of \$172.74 plus costs and interest in the Circuit Court, First Judicial District, State of South Dakota, in and for Union County in Case No. 94-0369.

2. The lien impairs an exemption to which Debtors would have been entitled under 11 U.S.C. 522 (b) and/or Section 561 Code of Iowa.

3. That the this Judgment constitutes a judicial lien on the real property of the Debtors located at 177 W. 5th Street, Sioux City, Woodbury County, Iowa, and legally described as follows:

Lot Eight (8), Block Forty Two (42), Hornicks
3rd Addition, City of Sioux City, County of
Woodbury and State of Iowa.

4. That the above referred to real estate was

claimed exempt under Iowa Code Section 561.16(1) as the homestead of the Debtors'. That no objections were filed by any party or the Trustee to said exemption.

5. The existence of L. F. Noll Inc.'s judicial lien on debtors' said real property impairs exemptions to which the debtors' are entitled under the laws of the State of Iowa.

Any good cause appearing therefore, it is

ORDERED, ADJUDGED AND DECREED, that the above referred to Judicial Lien and security interest in said exempt property be, and the same hereby is, avoided, cancelled and removed.

Dated: NW 26, 1996



Bankruptcy Judge

dj

Order and Judgment
copies to: Craig Lane, Don Molstad,
L.F. Noll, Marilyn Maloney, USTrustee
on 11/26/96, ls