

NOTICE OF SHERIFF'S LEVY AND SALE

IN THE IOWA DISTRICT COURT FOR WAPELLO COUNTY

COURT CASE #EQEQ110245
WAPELLO COUNTY

- Special Execution
- General Execution
- Other

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2007-SEA1

Plaintiff(s)

VS.

YUIS N. HERRERA AND JENY V. HERRERA, HUSBAND AND WIFE; CITIFINANCIAL, INC.; DARLENE E. FRAIZER, TRUSTEE OF THE FRANCIS L. FRAZIER REVOCABLE LIVING TRUST DATED FEBRUARY 25, 2010

Defendant(s)

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of the defendant(s)

- Real Estate
- Personal Property
- Described Below
- On Attached Sheet

to satisfy the judgment. The property to be sold is

JUDGMENT IN REM

THE FOLLOWING DESCRIBED REAL PROPERTY SITUATED IN THE CITY OF OTTUMWA, COUNTY OF WAPELLO, AND STATE OF IOWA, TO WIT:

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 2, TOWNSHIP 71 NORTH, RANGE 13 WEST OF THE 5TH P.M., IN WAPELLO COUNTY, IOWA, DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID SE ¼ OF THE SE ¼ OF SECTION 2; THENCE NORTH ALONG THE WEST LINE OF THE SE ¼ OF THE SE ¼ OF SECTION 2; A DISTANCE OF 187.2 FEET TO A POINT ON THE CENTERLINE OF THE NOW EXISTING PUBLIC ROAD, SAID POINT ALSO BEING 1128.6 FEET SOUTH OF THE NORTHWEST CORNER OF THE SAID SE ¼ OF THE SE ¼ OF SECTION 2,; THENCE RUNNING ALONG THE APPROXIMATE CENTERLINE OF THE SAID PUBLIC ROAD ALONG THE FOLLOWING DESCRIBED COURSES, N 42° 48' E., A DISTANCE OF 209.5 FEET; THENCE N. 53° 48' E. A DISTANCE OF 267.87 FEET; THENCE N. 35° 48' E., A DISTANCE OF 142.35 FEET; THENCE N 13° 48' E. A DISTANCE OF 146.57 FEET; THENCE N. 17° 42' W. A DISTANCE OF 212.94 FEET; THENCE LEAVING THE SAID PUBLIC ROAD AND RUNNING ON THE FOLLOWING DESCRIBED COURSES S. 54° 12' E., A DISTANCE OF 217.83 FEET; THENCE S. 39° 22' E., A DISTANCE OF 522.83 FEET; THENCE S. 89° 26' 20" E., A DISTANCE OF 394.30 FEET TO A POINT ON THE EAST LINE OF THE SAID SE ¼ OF THE SE ¼ OF SECTION 2; THENCE SOUTHERLY ALONG THE SAID EAST LINE OF THE SE ¼ OF THE SE ¼ OF SECTION 2 AS THE SAME IS NOW EVIDENCED BY AN OLD EXISTING FENCE LINE, A DISTANCE OF 399.78 FEET TO THE SOUTHEAST CORNER OF SAID SE ¼ OF THE SE ¼ OF SECTION 2; THENCE WESTERLY ALONG THE SOUTH LINE OF THE SAID SE ¼ OF THE SE ¼ OF SECTION 2 TO THE POINT OF BEGINNING, CONTAINING 15.09 ACRES AND BEING SUBJECT TO THAT PART ALONG THE NORTHWESTERLY SIDE THEREOF NOW BEING USED FOR PUBLIC ROADWAY PURPOSES

Local Address: 6045 CEMETARY ROAD, OTTUMWA

The described property will be offered for sale at public auction for cash only as follows:

Date of Sale: 08/17/2016 Time of Sale: 10:30 A.M. Place of Sale: 330 W. 2nd Street
2nd Floor, Wapello Co Sheriff's Office

Homestead: Defendant is advised that if the described real estate includes the homestead (which must not exceed ½ acre if within a city or town plat, or, if rural must not exceed 40 acres), defendant must file a homestead plat with the Sheriff within ten (10) days after service of this notice, or the Sheriff will have it platted and charge the costs to this case

Redemption: After sale of real estate, the defendant may redeem the property within _____

This is not subject to redemption.

Property exemption: Certain money or property may be exempt. Contact your property attorney to review specific provisions of the law and file appropriate notice, if applicable.

Judgment Amount \$141,272.37 Costs \$70,575.48 Accruing Costs Pending Interest \$2,396.13

% from 7.375% 03/25/2016

Attorney: MICHAEL J. CUNNINGHAM

Date: 04/04/2016

/s/ Mark H. Miller
Mark H. Miller, Sheriff
Wapello County, Iowa

/s/ Donald Phillips
Donald Phillips, Chief Deputy Sheriff
Wapello County, Iowa