

# Legals

## THE BANK OF NEW YORK V. THEOBALD 243905

### IN THE IOWA DISTRICT COURT OF BUTLER COUNTY

The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Benefit of the Certificate Holders of the CWALT, Inc., Alternative Loan Trust 2004-22CB, Mortgage Pass Through Certificates, Series 2004-22CB Plaintiff, vs. Unknown Heirs, Devisees, Creditors, or other Claimants with an interest in the property of Grace G. Theobald, Deceased; Cindi Hendrickson; Jon Sutula; Deb White; State of Iowa, Department of Revenue; Lincoln Savings Bank; Unknown spouse, if any, of Grace G. Theobald; Unknown spouse, if any of Cindi Hendrickson; Unknown spouse, if any, of Deb White; Unknown spouse, if any, of Jon Sutula; Parties in Possession, et al. Defendants. EQUITY NO: EQCV022182 ORIGINAL NOTICE FOR PUBLICATION

You are notified that a petition has been filed in the office of this court naming you as a defendant in this action. The petition was filed on March 12, 2025, and prays for foreclosure of Plaintiffs Mortgage in favor of the Plaintiff on the property described in this notice and judgment for the unpaid principal amount of \$69,858.09, with 3.75% per annum interest thereon from August 1, 2024, together with late charges, advances and the costs of the action including (but not limited to) title costs and reasonable attor-

ney's fees, as well as a request that said sums be declared a lien upon the following described premises from July 19, 2004, located in Butler county, Iowa:

**PARCEL A LOCATED IN THE SOUTHWEST QUARTER OF THE SW 1/4 SW 1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP NINETEEN (18) NORTH, RANGE EIGHTEEN (18) WEST OF THE 5TH P.M., FILED JUNE 25, 2004, RECORDED IN BOOK "M" PAGE 216, INSTR. NO. 2004-2988 OF THE RECORDS OF THE BUTLER COUNTY RECORDER**

**Also Known As:**  
**Parcel "A" located in the Southwest Quarter (SW 1/4) of Section Thirty-five (35), Township Ninety (90) North, Range Eighteen (18) West of the 5th P.M., Butler County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of said Section 35; thence South 89 degrees 17'46" East, 328.00 feet, along the south line of said Southwest Quarter; thence North 00 degrees 09'08" West, 516.00 feet; thence North 89 degrees 17'46" West, 328 feet, to a point on the west line of said Southwest Quarter; thence South 00 degrees 09'08" East, 516.00 feet, along said west line to the point of beginning, containing 3.89 acres total, including 0.25 acres existing right of way. Subject to easements, commonly known as 14059 Westbrook St, Aplington, IA 50604**

### (the "Property")

The petition further prays that the Mortgage on the above described real estate be foreclosed, that a special execution issue for the sale of as much of the mortgaged premises as is necessary to satisfy the judgment and for other relief as the Court deems just and equitable. For further details, please review the petition on file in the clerk's office. The Plaintiffs attorney is Emily Bartekoske, of SouthLaw, P.C.; whose address is 4601 Westown Pkwy, Suite 250, West Des Moines, IA 50266.

### NOTICE

**The plaintiff has elected foreclosure without redemption. This means that the sale of the mortgaged property will occur promptly after entry of judgment unless you file a written demand with the court to delay the sale. If you file a written demand, the sale will be delayed until six months (or three months if the petition includes a waiver of deficiency judgment) from the entry of judgment if the mortgaged property is your residence and is a one-family or two-family dwelling or until two months from entry of judgment if the mortgaged property is not your residence or is your residence but not a one-family or two-family dwelling. You will have no right of redemption after the sale. The purchaser at the sale will be entitled to immediate possession of the mortgaged property. You may purchase at**

### the sale.

You must serve a motion or answer on or before August 6, 2025, and within a reasonable time thereafter, you must file your motion or answer with the Clerk of Court for Butler County, at the county courthouse in Allison, Iowa. If you fail to respond, judgment by default may be rendered against you for the relief demanded in the petition. If you require the assistance of auxiliary aids or services to participate in a court action because of a disability, immediately call your District ADA Coordinator at 641-494-3611. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.

This case has been filed in a county that utilizes electronic filing. You may find more information and general rules governing electronic filing in Iowa Court Rules Chapter 16. You may find information concerning protection of personal information in court filings in Iowa Court Rules Chapter 16, Division VI.

By: CLERK OF THE ABOVE COURT  
Butler County Courthouse  
428 6th Street, P.O. Box 307  
Allison, IA 50602-0307  
IMPORTANT:  
YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.  
*Published in the Butler County Star Tribune on June 26, and July 3 and 10, 2025*

## CITY OF CLARKSVILLE • PUBLIC HEARING

**NOTICE OF PUBLIC HEARING TO WHOM IT MAY CONCERN:** Notice is hereby given that on the 21<sup>st</sup> day of July at 6:30 P.M. at the City Hall, in Clarksville, Iowa, a public hearing will be held to accept input regarding a special permit for a building at 541 West Wilmans Street owned by Todd Fails. The request from Fails is to obtain a rebuilders license from the Iowa DOT. Fails would like a non-transferable permit that would allow his shop to have a commercial use.

The house would remain residential. Anyone interested may appear at the above stated time and place on July 21<sup>st</sup> for the public hearing and be heard or may file written comments in person or mail to the City Clerk, City Hall, 115 W. Superior, Clarksville, Iowa to be received in the City Clerk's office before 4:00 PM on the date set for said hearing. *Published in the Butler County Star Tribune on July 3, 2025*

## CITY OF CLARKSVILLE • ORDINANCE HEARING

**NOTICE OF PUBLIC HEARING TO WHOM IT MAY CONCERN:** Notice is hereby given that on the 21<sup>st</sup> day of July at 6:45 P.M. at the City Hall, in Clarksville, Iowa, a public hearing will be held to accept input regarding amending the City of Clarksville Ordinances specifically Chapter 155 Restricted Residence District. Anyone interested may appear at the above stated time and place on

July 21<sup>st</sup> for the public hearing and be heard or may file written comments in person or mail to the City Clerk, City Hall, 115 W. Superior, Clarksville, Iowa to be received in the City Clerk's office before 4:00 PM on the date set for said hearing. A copy of proposed amendment is available for review at City Hall. *Published in the Butler County Star Tribune on July 3, 2025*