

David W. Lyon
and
Margaret M. Leitinger,
Plaintiffs,

vs.

Case No. 22 CV 844

Margo M. Bennett,
Defendant.

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

PLEASE TAKE NOTICE that by virtue of a default judgment made in the above-entitled action on June 9, 2023, which permits a sheriff sale of the premises described below, the Sheriff of Rock County will sell at public auction as follows:

DATE/TIME: October 4, 2023, at 10:00 AM

TERMS: By bidding at the Sheriff's Sale, the prospective buyer is consenting to be bound by the following terms: 1) 10% down in cash, cashier's check, or bank-certified funds made payable to the Rock County Clerk of Court; 2) Sold "as is" and subject to all legal liens and encumbrances; 3) Buyer to pay applicable Wisconsin Real Estate Transfer Tax, costs of deed recording and all costs of sale within 10 days of confirmation of sheriff's sale. Failure to pay balance due will result in forfeiture of bid deposit to Plaintiff; and 4) Bidders not a party to this action are subject to the requirements of Wisconsin Statute Section 846.155.

PLACE: Rock County Courthouse located at 51 S. Main Street, Janesville, WI 53545

PROPERTY LEGAL DESCRIPTION:

Part of the North ½ of the S.W. ¼ of Section 3, Township 1 North, Range 10 East of the 4th P.M., Avon Township, Rock County, Wisconsin, including C.S.M. No. 780755, Vol. 2 Page 212, described as follows:

Beginning at the West ¼ corner of Section 3, aforesaid; thence South 88 Degrees 02'33" East 2018.70 Feet; thence South 0 Degrees 00'07" West 660.84 Feet; thence North 87 Degrees 59'15" West 671.07 Feet; thence South 0 Degrees 04'28" West 657.80 Feet; thence North 87 Degrees 45'29" West 544.74 Feet; thence North 0 Degrees 06'00" West 600.00 Feet; thence North 87 Degrees 45'29" West 800.00 Feet; thence North 0 Degrees 06'00" West 711.32 Feet to the place of beginning.

TAX KEY NO.: 002003004 (Parcel No. 6-1-23)

PROPERTY ADDRESS: 7115 and 7117 South Nelson Road, Brodhead, Wisconsin 53520.

Justin W. Henry
Attorney for Plaintiffs
Consigny Law Firm, S.C.
303 East Court Street
Janesville, WI 53545
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E-mail: jhenry@janesvillelaw.com

Dated this 7th day of September 2023

Justin W. Henry

Rock County Sheriff's Department

By: *Deputy Anthony J. Bove 12301*

DATE SIGNED: August 2, 2023

Electronically signed by Barbara W. McCrory
Circuit Court Judge

STATE OF WISCONSIN CIRCUIT COURT ROCK COUNTY

DAVID W. LYON

and

MARGARET M. LEITINGER,

Plaintiffs,

v.

Case No. 22 CV 844

EDWARD H. LYON, JR.

and

MARGO M. BENNETT,

Defendants.

ORDER

This matter having come on for hearing before the Honorable Barbara W. McCrory on June 10, 2023. Plaintiffs, Margaret Leitinger and David Lyon, appearing in person and with Attorney Justin W. Henry. Defendants, Margo Bennett and David Lyon, also appearing.

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Motion for Default Judgment was granted against Defendant Margo Bennett.
2. Plaintiffs' Motion for Summary Judgment was granted against Defendant Edward Lyon.
3. The property is to be partitioned within sixty days.
4. If the parties are unable to reach an agreement on how to partition the property within that sixty days, the property shall be judicially sold at a public auction to be held by the Rock County Sheriff's Department.

5. Plaintiffs' request for attorney fees and costs will be held open.
6. Defendant Edward Lyon is dismissed as a party to this action.