

(b) *The court shall have the power in its discretion to order the release from any claim for distress of any goods, in whole or in part, when request for such release is made by an order consented to in writing by all parties to the action of distress. No bond shall be required for release of any goods in such case.*

24. *Order to make forcible entry to levy on goods.*

*Whenever goods have been levied upon under distress and remain upon the leased premises, and the officer is unable to gain access to the goods without force, the court may issue an order authorizing the officer to enter the premises by force.*

25. *Notice of sale.*

*Notice of sale of goods under an action of distress shall be given in a newspaper or newspapers published at least once weekly and having general circulation within the jurisdiction of the court. The notice shall be published at least one time or for such additional number of times as the court may designate. If there is no newspaper meeting the requirements of this section, notice may be made by posting it on the door of the court house. The notice of sale shall be published or posted at least seven days in advance of the date of the sale and the sale shall be held not more than 28 days after notice of sale. The notice shall contain the time and location of the sale.*

26. *Manner of sale; removal after sale.*

*Sales under distress shall be made only at public auction. The officer shall be authorized in his discretion to remove the goods from the leased premises to some suitable place for auction or the sale may be held on the leased premises. Cost of the removal of goods for sale shall be included as costs of the sale.*

27. *Unsold goods; disposition.*

(a) *Upon a sale under distress, only such goods shall be sold as are necessary to satisfy the claim for rent due and to pay all costs. Any unsold goods shall be returned to the tenant if they have been removed or they shall be left on the premises. Any surplus of monies remaining after the sale, payment of the rent claim and all costs shall be returned to the tenant or paid as provided by order of the court. The cost of returning unsold goods to the premises, if removed, shall be included as costs of the sale.*

(b) *At a sale the goods of the tenant shall be sold first and in their entirety if necessary to satisfy the claim for rent and costs before any distrainable goods of others shall be sold. The sale of goods of others shall be made only to the extent which may be necessary to satisfy the rent claim and all costs.*

(c) *In case any surplus of monies or unsold goods remain in the hands of an officer upon completion of proceedings in an action of distress and after payment of all claims and costs incurred, a judgment creditor or other person claiming a right to the monies or goods shall have the right to petition the court in which the action was brought for payment of his judgment or claim out of such excess of money or goods, plus court costs expended by such creditor or claimant. The court shall have the right, after hearing on the petition, to direct payment of the monies or goods, or to order the sale of goods*