AMENDMENT TO REAL ESTATE CONTRACT

This amended Agreement is executed this 13th day of February, 1990, ~~1989~~, by and among Herman J. Welter of Monticello, Iowa, and Chris E. Manternach and Sharon A. Manternach, husband and wife of Hopkinton, Iowa.

WHEREAS, the above named parties entered into a real estate contract on the 28th day of November, 1987; said contract filed for record in the Delaware County Recorder's Office in Book 121, Page 266 on December 10, 1987, for the sale of the following described property:

See Exhibit "A" attached hereto and by this reference made a part hereof.

WHEREAS, the parties now enter into this agreement to amend said above-described real estate contract in the following particulars:

1. That said description as shown on Exhibit "A" is amended by adding the following: Lot 242, 243, 187 and 188 in the Village of Sand Springs, South Fork Township, Delaware County, Iowa. There is to be no exception to Lots 187 and 188.

2. That said description as shown on Exhibit "A" is amended by deleting the following: The East Half of Lots 181 and 182 all in Sherwood and Cummings Addition to Sand Springs, Iowa, and inserting in thereof the following: Lots 181 and 182 in Sand Springs, Iowa.

3. All other provisions of the original contract not changed by this amendment are hereby ratified and remain in full force and effect.

Dated this 13 day of February, 1990, ~~1989~~.

SELLERS

Herman J. Welter

Herman J. Welter
by Roman Welter, Attorney-in-Fact
Roman Welter

BUYERS

Chris E. Manternach

Chris E. Manternach

Sharon A. Manternach

Sharon A. Manternach

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52040

FILE No. 309-1844
RECORDING FEE $ 20.00
TRANSFER FEE $

FILED FOR RECORD THE 20 DAY OF February, 19 90 AT 11:13 O'CLOCK A. M. BOOK 125 PAGE 341

STATE OF IOWA, DELAWARE COUNTY
Joan Sheppard, Recorder
LD

STATE OF IOWA)
) SS:
COUNTY OF Jones)

On this 1st day of Febevary, 19~~89~~ 90, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roman Welter, to me known to be the person who executed the foregoing instrument in behalf of Herman J. Welter, and acknowledged that he executed the same as the voluntary act and deed of said Herman J. Welter.

Notary Public
In and for the State of Iowa
T.J. Thornton

STATE OF IOWA)
) SS:
COUNTY OF Delaware)

On this 13th day of February, A.D., 19~~89~~ 90, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Chris E. Manternach and Sharon A. Manternach, husband and wife, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Thomas J. Nobson Notary Public
In and for the State of Iowa

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EXHIBIT "A"

Lots Nine (9) to Twenty-four (24) inclusive, Lots Thirty-five (35) to Ninety-two (92) inclusive and Lots Ninety-seven (97) to One Hundred Twenty-eight (128) inclusive, Colony Addition to Sand Springs, Iowa, the same being a part of the Southeast Quarter (SE 1/4) of Northeast Quarter (NE 1/4) of Section Twenty-eight (28); also Southwest Quarter (SW 1/4) of Northeast Quarter (NE 1/4) of Section Twenty-eight (28), Township Eighty-seven (87), North, Range Three (3), West of the Fifth P.M.

AND

The East One-Half (E 1/2) of the Northeast Quarter (NE 1//4) of Section 27, except so much thereof as is used for cemetery purposes and described as - Commencing at a stone set in the ground 6.16 chains North and 2.93 chains West of the Quarter Section corner between Sections 26 and 27, thence West 6 chains to a stone, thence North 6 2/3 chains to a stone, thence East 6 chains to a stone, thence South 6 2/3 chains to place of beginning. Also the Southwest Quarter (SW 1/4) of the Northeast Quarter of said Section 27, and all that part of the following described Lots, 102, 103, 104, 105, 106, 107, 108, 109 and 110, and Lots 132 and 133, and Park Square, Sand Springs, Iowa, contained within the following described piece of land: - Commencing at a point on the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 27, 458 feet and 6 inches West of the Southeast corner of the said Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4), thence West along said South line 254 feet, thence Southerly to the North line of the public road as now established 457 feet, thence East long the North side of said public road 253 feet and 6 inches thence Northerly 526 feet to place of beginning, all of the above described real estate being in Township 87 North, Range 3 West of the Fifth P.M.; also that part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 87 North, Range 3 West of the Fifth P.M., formerly embraced in the following Lots, namely; Lots One (1) to Twenty-six (26) inclusive, Thirty (30) to Seventy-two (72) inclusive, 111 to 128 inclusive, 172 to 180 inclusive, 183 to 188 inclusive excepting that part of Lots 187 and 188 comprised in deed from Asa C. Bowen to J.W. Merrill & Co. recorded in Book R, Page 173; Lots 244 to 247, and streets and alleys and that portion of streets and alleys adjoining said Lots which was vacated by decree of the District Court of Delaware County, Iowa, or which by virtue of law or prescriptive rights became vacated, and all streets and alleys adjoining said lots, or any of them, which would or might revert to the owners thereof on the vacation of said lots or the plat thereof; same being a part of the South One-Half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 27, Township 87 North, Range 3 West of the Fifth P.M.; containing in all 150 3/4 acres, more or less

AND

Vacated Lots One Hundred and Twenty-nine (129), One Hundred and Thirty (130), One Hundred and Thirty-One (131), One Hundred and Sixty-nine (169), One Hundred and Seventy (170), One Hundred and Seventy-One (171), One Hundred and Eighty-Nine (189), One Hundred and Ninety (190), One Hundred and Ninety-one (191), One Hundred and Ninety-two (192), Two Hundred and Thirty-eight (238), Two Hundred and Thirty-Nine (239), Two Hundred and Forty (240), and Two Hundred and Forty-One (241), all in the village of Sand Springs, South Fork Township, Delaware County, Iowa,

AND

East One-Half (E 1/2) of Lots One Hundred Eighty-One (181), One Hundred Eighty-two (182), all in Sherwood and Cummings Addition to Sand Springs, Iowa; also Lots Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), all in Colony Addition to Sand Springs, Iowa,

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AND

All that part of Lots 33 and 34 in Colony Addition, Sand Springs, Iowa, according to the recorded plat thereof, that lies west of Highway #38 that was not conveyed to the State of Iowa for road purposes.

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