| ROBERT GALIHER A/K/A ROBERT E. GALIHER<br>LOLA GALIHER A/K/A LOLA J. GALIHER<br>107 REYNOLDS ST<br>MANCHESTER, IA 52057 | FARMERS & MERCHANTS SAVINGS BANK<br>101 EAST MAIN STREET, PO BOX 588<br>MANCHESTER, IA 52057 |
|---|---|
| **MORTGAGOR**<br>"I" includes each mortgagor above. | **MORTGAGEE**<br>"You" means the mortgagee, its successors and assigns. |

**REAL ESTATE MORTGAGE:** For value received, I, ROBERT GALIHER AND LOLA GALIHER, A/K/A ROBERT E. GALIHER & LOLA J.GALIHER, husband & wife sell, convey and mortgage to you on APRIL 25, 1994, the real estate described below and all rights, easements, appurtenances, rents, leases and existing and future improvements and fixtures that may now or at anytime in the future be part of the property (all called the "property").

**PROPERTY ADDRESS:** RR (Street), DELHI (City), Iowa 52223 (Zip Code)

**LEGAL DESCRIPTION:**
LOTS FIFTY-SIX (56) AND FIFTY-SEVEN (57) OF "CLAIR-VIEW ACRES AT DELHI, IOWA" IN SECTIONS TWENTY-THREE (23) AND TWENTY-SIX (26), MILO TOWNSHIP, DELAWARE COUNTY, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 2 PLATS, PAGE 200

104-249 & 110-79

For Release, See Book 124
Page 185 9-22-94

located in DELAWARE County, Iowa.

**TITLE:** I covenant and warrant title to the property, except for encumbrances of record, municipal and zoning ordinances, current taxes and assessments not yet due and NONE.

**SECURED DEBT:** This mortgage secures repayment of the secured debt and the performance of the covenants and agreements contained in this mortgage and in any other document incorporated herein. Secured debt, as used in this mortgage, includes any amounts I may at any time owe you under this mortgage, the instrument or agreement described below, any renewal, refinancing, extension or modification of such instrument or agreement, and, if applicable, the future advances described below.

The secured debt is evidenced by (describe the instrument or agreement secured by this mortgage and the date thereof):
A/L#94257 DATED 4/25/94 IN THE AMOUNT OF $80,000.00

The above obligation is due and payable on JULY 25, 2014 if not paid earlier.
The total unpaid balance secured by this mortgage at any one time shall not exceed a maximum principal amount of EIGHTY THOUSAND AND NO/100* * * * * * * * * * * * * * * * Dollars ($ 80,000.00), plus interest.

☐ **Future Advances:** The above amount is secured even though all or part of it may not yet be advanced. Future advances are contemplated and will be secured to the same extent as if made on the date this mortgage is executed.

**NOTICE: THIS MORTGAGE SECURES CREDIT IN THE AMOUNT OF $ 80,000.00. LOANS AND ADVANCES UP TO THIS AMOUNT, TOGETHER WITH INTEREST, ARE SENIOR TO INDEBTEDNESS TO OTHER CREDITORS UNDER SUBSEQUENTLY RECORDED OR FILED MORTGAGES AND LIENS.**

☒ **Variable Rate:** The interest rate on the obligation secured by this mortgage may vary according to the terms of that obligation.
☐ A copy of the loan agreement containing the terms under which the interest rate may vary is attached to this mortgage and made a part hereof.

**RIDERS:** ☐ Commercial ☐ Construction ☐ _____

**I understand that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this contract, I voluntarily give up my right to this protection for this property with respect to claims based upon this contract.**

Robert E Galiher (Signature) (Date) Lola Galiher (Signature) (Date)

**SIGNATURES:** By signing below, I agree to the terms and covenants contained on pages 1 and 2 of this mortgage and in any riders described above that I have signed. I also acknowledge receipt of a copy of this mortgage on today's date.

X Robert E Galiher
ROBERT GALIHER A/K/A ROBERT E. GALIHER

X Lola Galiher
LOLA GALIHER a/k/a LOLA J. GALIHER

**ACKNOWLEDGMENT:** STATE OF IOWA, COUNTY OF DELAWARE } ss.

On this 25th day of April, 1994 before me, a Notary Public in the State of Iowa, personally appeared ROBERT GALIHER AND LOLA GALIHER A/K/A ROBERT E. GALIHER & LOLA J GALIH

Individual Acknowledgment
to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that THEY executed the same as THEIR voluntary act and deed.

Corporate Acknowledgment
to me personally known, who being by me duly sworn or affirmed did say that that person is _____ (Title) of said corporation, that (the seal affixed to said instrument is the seal of said) ( no seal has been procured by said) corporation and that said instrument was signed and sealed on behalf of the said corporation by authority of its board of directors and the said _____ acknowledged the execution of said instrument to be the voluntary act and deed of said corportion by it voluntarily executed.

ROSEMARY DREES
My Commission Expires
11/30/96

Rosemary Drees
Notary Public In The State Of Iowa

IOWA

FILE No. 34-3415
RECORDING FEE $ 11.00
TRANSFER FEE $ _____

FILED FOR RECORD THE 10 DAY OF May, 1994 AT 3:07 O'CLOCK P. M. BOOK 123 PAGE 84

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
LM CM 31