KATHY FLYNN THURLOW, DUB. CO. RECORDER

8068-97

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KATHY FLYNN THURLOW
COUNTY RECORDER
DUBUQUE CO., IOWA FEES $11.00

Prepared By: James G. Schilling 1890 John F. Kennedy Road Dubuque, IA 52002 (319) 556-4032

AMENDMENT TO LAND CONTRACT

WHEREAS, the undersigned parties executed a Land Contract for the sale of the following described real estate, to wit:

The NW1/4 of the NW1/4, Lot 1 of the SW1/4 of the NW1/4, the NW1/4 of the SW1/4, and the SW1/4 of the SW1/4, all in Section 19, Township 88 North, Range 2 West of the 5th P.M., in Dubuque County, Iowa;

The South ½ of the NE1/4 of the SE1/4, the NW1/4 of the NE1/4 of the SE1/4 tract, and the SE1/4 of the SE1/4, all in Section 13, Township 88 North, Range 3 West of the 5th P.M., in Delaware County, Iowa;

The North ½ of the NE1/4 of the NE1/4, in Section 24, Township 88 North, Range 3 West of the 5th P.M., in Delaware County, Iowa.

WHEREAS, said Contract was dated February 28, 1997 and recorded in Delaware County, Iowa in Book 137, page 395; and recorded in Dubuque County, Iowa as Instrument No. 2483-97; and

WHEREAS, the parties hereto desire to amend said Land Contract as follows:

THEREFORE, the above-described Land Contract is hereby amended by including the following-described real estate as part of the real estate being sold thereunder, to wit:

The East 33 feet of the South one-half (S1/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) and the East 33 feet of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section Twenty Four (24), Township Eighty-Eight (88) North, Range Three (3), West of the 5th P.M.

Buyer agrees to accept this additional real estate subject to the rights and interests of Delaware County, Iowa, if any.

IN WITNESS WHEREOF, the undersigned have hereto set their hands on the respective dates in 1997 as recited below and on following acknowledgments.

SELLER:

MERCANTILE BANK OF DUBUQUE as Conservator for Henry B. Oberbroeckling

By: Kim J. Keuter 7/1/97
Kim J. Keuter, Vice President and Trust Officer

By: Shirley A. Christensen
Shirley A. Christensen, Vice President and Trust Officer

Wayne F. Oberbroeckling 6/25/97
Wayne F. Oberbroeckling, Conservator for Jeanne Oberbroeckling

Earl Oberbroeckling 6/10/97
Earl Oberbroeckling, Conservator for Jeanne Oberbroeckling

BUYER:

CEDAR HILL, INC.

By: Raymond J. Schilling Jr

By: Marlene M. Schilling

DATE 8-4-97 BOOK 138 PAGE 220

Prepared by , Attorney at Law, ,

STATE OF IOWA, DUBUQUE COUNTY, ss:
On this 25th day of June, 1997, before me the undersigned, a Notary Public in and for said State, personally appeared Wayne F. Oberbroeckling to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed of the person and of the fiduciary.

LAURA L. BEITZEL
MY COMMISSION EXPIRES
11-24-1997

Laura L. Beitzel
Notary Public in and for said State

STATE OF IOWA, DUBUQUE COUNTY, SS:
On this 10th day of June, 1997, before me the undersigned, a Notary Public in and for said State, personally appeared Earl Oberbroeckling to me known to be the identical person named inn and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed of the person and of the fiduciary.

Iowa

Notary Public in and for said State

STATE OF IOWA, DUBUQUE COUNTY, ss:
On this 1st day of July, 1997, before me, the undersigned, a notary public in and for the above county and state, personally appeared Kim J. Keuter and Shirley A. Christensen, to me personally known, who being by me duly sworn, did say that they are both Vice Presidents and Trust Officers of the above corporation, executing the within and foregoing instrument; that (~~no seal has been procured by the corporation~~)(the seal affixed to this instrument is the seal of the corporation); that this instrument was signed (and sealed) on behalf of the corporation by authority of its board of directors; and that Kim J. Keuter and Shirley A. Christensen acknowledged the execution of this instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by them and as such fiduciary voluntarily executed.

SUSAN K. VALANT

Susan K. Valant
Notary Public in and for said State.

STATE OF IOWA, DUBUQUE COUNTY ss:
On this 14th day of July, 1997, before me the undersigned, a Notary Public in and for said County and State, personally appeared Raymond J. Schlarmann, Jr. and Marlene M. Schlarmann to be me personally known, who being by me duly sworn, did say that they are the President and Secretary of Cedar Hill, Inc.; executing the within and foregoing instrument; that (no seal has been procured by the corporation)(~~the seal affixed to this instrument is the seal of the corporation~~); that this instrument was signed (~~and sealed~~) on behalf of the corporation by authority of its board of directors; and that Raymond J. Schlarmann, Jr. and Marlene M. Schlarmann as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

THOMAS H. JENK
MY COMMISSION EXPIRES
SEPTEMBER 15, 1997

Notary Public in and for said State.

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11.00

RETURN TO:
TOM JENK, ATTY
P.O. BOX 247
DYERSVILLE, IA. 52040-0247

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COUNTY RECORDER
DUBUQUE CO., IOWA FEES

TO: Jenk
Refund