(X)

Farmers State Savings Bank 230 First St. East Independence, IA 50644 319-334-7181

Preparer Address Telephone Number

FORM 160-E1 (Revised January 1996)

11.00 136 97 SEP 15 AM 10:44 7-824

PARTIAL RELEASE OF REAL ESTATE MORTGAGE

Know All Men by These Presents:

That the undersigned, the present owner(s) of the mortgage hereinafter described, for valuable consideration, receipt of which is hereby acknowledged, do hereby acknowledge that the following described real estate situated in Delaware County, Iowa, to wit:

See attached "Exhibit A"

is hereby released from the lien of the real estate mortgage, executed by Robert M. Smith & Jean M. Smith, dated, Nov. 1, 1996, recorded in the records of the Office of the Recorder of the County of Delaware, State of Iowa, in Book 132 of , page 142, specifically reserving and retaining the mortgage lien and all mortgage rights against all of the remaining property embraced in the mortgage above described.

Dated this 12th day of September, 1997

Farmers State Savings Bank

BY: Brenda Lou Werner, VP

BY: Anthony F. Marzen, VP

CORPORATE

STATE OF Iowa, Buchanan COUNTY, ss.

On this 12th day of September, A. D., 1997, before me, the undersigned a Notary Public in the State of Iowa, personally appeared Brenda Lou Werner and Anthony F. Marzen, to me personally known, who being by me duly sworn, did say that they are the Vice President and Vice President respectively, of said corporation; that ~~(no seal has been procured by the said)~~ corporation; that said instrument was signed (the seal affixed thereto is the seal of said) **and sealed** on behalf of said corporation by authority of its Board of Directors; and that the said Vice President & Vice President, as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said corporation by it and by them voluntarily executed.

NOTARIAL SEAL IOWA BETH E. GOODENBOUR MY COMMISSION EXPIRES 1-20-98

Beth E. Goodenbour

Notary Public in the State of Iowa

INDIVIDUAL

STATE OF _____, _____ COUNTY, ss.

On this _____ day of _____, A. D., _____, before me, the undersigned a Notary Public in the State of Iowa; personally appeared _____

to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in the State of Iowa

STATE OF IOWA, COUNTY OF _____ } ss.

Filed for record this _____ day of _____, A. D. _____ at _____ o'clock ____ M., and recorded in Book _____ of _____ on page _____.

_____, Deputy

FEE, $_____ Paid

_____, Recorder

WHEN RECORDED PLEASE RETURN TO _____ (Name)

_____ (Address)

NOTE: For complete release of real estate mortgage, see Form No. 160-E.

DATE 9-15-97 BOOK 136 PAGE 91

"EXHIBIT A"

LEGAL DESCRIPTION

PARCEL A, PART OF NW ¼ - NW ¼, SECTION 28, T90N, R6W

PARCEL A, PART OF THE WEST ONE HALF (W ½) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) AND PART OF THE WEST ONE HALF (W ½) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY (28), TOWNSHIP NINETY NORTH (T90N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA; containing a total of 3.03 acres including 0.08 acres of public road right of way, subject to easements of record and more specifically described by metes and bounds as follows:

COMMENCING at the Northwest Corner of the Northwest Quarter (NW ¼) of Section Twenty-eight (28), Township Ninety North (T90N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence along the Westerly Line of said Northwest Quarter (NW ¼) South 01°-19'-03" East to the Northerly Line of the former Chicago & Northwestern Transportation Company right of way 458.47feet, the **POINT OF BEGINNING**;

Thence along said Northerly Line South 68°-07'-43" East to the Easterly Line of the West One-half (W ½) of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Northwest Quarter (NW ¼)1095.86 feet;

Thence along the Easterly Line of the West One-half (W ½) of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Northwest Quarter (NW ¼) South 01°-23'-35" East **to the Southerly Line of said right of way 108.85 feet;**

Thence along said Southerly Line North 68°-07'-43" West to the Easterly Line of the West One-half (W ½) of the Northwest Quarter (NW ¼) of said Northwest Quarter (NW ¼) 364.53 feet

Thence along the Easterly Line of the West One-half (W ½) of the Northwest Quarter (NW ¼) of said Northwest Quarter (NW ¼) South 01°-23'-33" East **108.85 feet;**

Thence continuing along said Southerly Line North 68°-07'-43" West 246.27 feet;

Thence North 21°-52'-17" East **100.00 feet;**

Thence continuing along said Southerly Line North 68°-07'-43" West to the Westerly Line of said Northwest Quarter (NW ¼) 526.58 feet;

Thence along the Westerly Line of said Northwest Quarter (NW ¼) North 01°-19'-03" West 108.79 feet to the **POINT OF BEGINNING**;

Containing a total of 3.03 acres including 0.08 acres of public road right of way and subject to easements of record.

The Westerly Line of Section Twenty-eight (28),Township Ninety North (T90N), Range Six West (R6W) of the Fifth Principal Meridian is assumed to bear South 01°-19'-03" East.