DELAWARE COUNTY, IOWA
FILED
1999 MY 20 AM 10: 38
BOOK 1999 PAGE 1785
BARBARA J. BUTLER
DELAWARE CO. RECORDER
$26.00

(X)

Prepared by: James E. Goodman, Jr., O'Connor & Thomas, P.C., CyCare Plaza, 700 Locust St., Suite 200, Dubuque, IA 52001-6874 (319) 557-8400

SPACE ABOVE THIS LINE FOR RECORDER

SECOND AMENDMENT TO REAL ESTATE CONTRACT

THIS SECOND AMENDMENT to real estate contract is executed this 10th day of MAY, 1999 by and between Anna Mae Reiff, American Trust & Savings Bank as Trustee of the Stella Pettinger Trust, Lawrence Pettinger, the surviving spouse of Stella Pettinger, Eric B. Loes and Alexis J. Loes, husband and wife, and Blanche Luehrsmann, a widow, and American Trust & Savings Bank, Dubuque, Iowa, as Trustee of the Bernard C. Luehrsmann Trust dated June 16, 1974, hereinafter collectively referred to as Sellers; and Vernon I. Brunsman and Norma A. Brunsman, husband and wife, as tenants in common, hereinafter referred to as Buyers.

WHEREAS, Sellers and Buyers entered into a Real Estate Contract - Installment dated October 31, 1983, which Contract was filed on November 23, 1983, at 11:42 A.M. with the Delaware County Recorder in Book 114, Page 104, for the following described property:

> North West Quarter of Section 36; East 17.50 acres of South East Quarter of the South East Quarter, and the East 17.54 acres of the North East Quarter of the South East Quarter of Section 35, all in Township 90 North, Range 3 West at the 5th P.M., consisting of approximately 195 acres (more or less); and

WHEREAS, Sellers and Buyers entered into an Amendment to Real Estate Contract, dated June 30, 1995, which Amendment was filed on July 5, 1995, at 10:43 A.M., with the Delaware County Recorder, as File No. 140-182, for the following described property:

> North East Quarter of Section 36; East 17.50 acres of South East Quarter of the South East Quarter, and the East 17.54 acres of the North East Quarter of the South East Quarter of Section 35, all in Township 90 North, Range 3 West at the 5th P.M., consisting of approximately 195 acres (more or less); and

WHEREAS, the legal description used in the Amendment to Real Estate Contract inadvertently referred to the "North East Quarter of Section 36", instead of the "North West Quarter of Section 36.

NOW, THEREFORE, the parties agree:

1. That the correct legal description which should have been in the Amendment to Real Estate Contract is as follows:

North West Quarter of Section 36; East 17.50 acres of South East Quarter of the South East Quarter, and the East 17.54 acres of the North East Quarter of the South East Quarter of Section 35, all in Township 90 North, Range 3 West at the 5th P.M., consisting of approximately 195 acres (more or less); and

2. This Second Amendment may be signed in counterparts.

3. All other provisions of the October 31, 1983 Real Estate Contract - Installments and Amendment to Real Estate Contract which are not revised by this Second Amendment, shall remain in full force and effect.

Sellers,

Anna Mae Reiff

Anna Mae Reiff

American Trust & Savings Bank, as Trustee
of the Stella Pettinger Trust

By:_____
Robert J. Donovan, Sr. Vice President

_____
Blanche Luehrsmann

American Trust & Savings Bank, as Trustee of
the Bernard C. Luehrsmann Trust

By:_____
Robert J. Donovan, Sr. Vice President

_____
Lawrence Pettinger

NOW, THEREFORE, the parties agree:

1. That the correct legal description which should have been in the Amendment to Real Estate Contract is as follows:

North West Quarter of Section 36; East 17.50 acres of South East Quarter of the South East Quarter, and the East 17.54 acres of the North East Quarter of the South East Quarter of Section 35, all in Township 90 North, Range 3 West at the 5th P.M., consisting of approximately 195 acres (more or less); and

2. This Second Amendment may be signed in counterparts.

3. All other provisions of the October 31, 1983 Real Estate Contract - Installments and Amendment to Real Estate Contract which are not revised by this Second Amendment, shall remain in full force and effect.

Sellers,

Anna Mae Reiff

American Trust & Savings Bank, as Trustee
of the Stella Pettinger Trust

By: _____
Robert J. Donovan, Sr. Vice President

Blanche Luehrsmann

American Trust & Savings Bank, as Trustee of
the Bernard C. Luehrsmann Trust

By: _____
Robert J. Donovan, Sr. Vice President

Lawrence Pettinger

Lawrence Pettinger

NOW, THEREFORE, the parties agree:

1. That the correct legal description which should have been in the Amendment to Real Estate Contract is as follows:

North West Quarter of Section 36; East 17.50 acres of South East Quarter of the South East Quarter, and the East 17.54 acres of the North East Quarter of the South East Quarter of Section 35, all in Township 90 North, Range 3 West at the 5th P.M., consisting of approximately 195 acres (more or less); and

2. This Second Amendment may be signed in counterparts.

3. All other provisions of the October 31, 1983 Real Estate Contract - Installments and Amendment to Real Estate Contract which are not revised by this Second Amendment, shall remain in full force and effect.

Sellers,

_____
Anna Mae Reiff

American Trust & Savings Bank, as Trustee
of the Stella Pettinger Trust

By:_____
Robert J. Donovan, Sr. Vice President

Blanche Luehrsmann
Blanche Luehrsmann

American Trust & Savings Bank, as Trustee of
the Bernard C. Luehrsmann Trust

By:_____
Robert J. Donovan, Sr. Vice President

_____
Lawrence Pettinger

Buyers,

Vernon I. Brunsman

Vernon I. Brunsman

Norma A. Brunsman

Norma A. Brunsman

Sellers,

Eric B. Loes

Alexis J. Loes

STATE OF ALABAMA)
)
COUNTY OF MOBILE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Eric B. Loes**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in and for said State
My Commission Expires:_____

STATE OF ALABAMA)
)
COUNTY OF MOBILE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Alexis J. Loes**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Anna Mae Reiff**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and for said State
My Commission Expires:_____

Buyers,

Vernon I. Brunsman

Norma A. Brunsman

Sellers,

Eric B. Loes

Alexis J. Loes

STATE OF ~~ALABAMA~~ IOWA)
)
COUNTY OF ~~MOBILE~~ Orange)

On this 4 day of April, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Eric B. Loes**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

ROBERT J. DONOVAN
MY COMMISSION EXPIRES
8-26-00

Notary Public in and for said State
My Commission Expires: 8-26-00

STATE OF ~~ALABAMA~~ Iowa)
)
COUNTY OF ~~MOBILE~~ Orange)

On this 4 day of April, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Alexis J. Loes**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

ROBERT J. DONOVAN
MY COMMISSION EXPIRES
8-26-00

Notary Public in and for said State
My Commission Expires: 8-26-00

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Anna Mae Reiff**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and for said State
My Commission Expires: _____

Buyers,

Sellers,

Vernon I. Brunsman

Eric B. Loes

Norma A. Brunsman

Alexis J. Loes

STATE OF ALABAMA)
)
COUNTY OF MOBILE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Eric B. Loes**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in and for said State
My Commission Expires:_____

STATE OF ALABAMA)
)
COUNTY OF MOBILE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Alexis J. Loes**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 12 day of April, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Anna Mae Reiff**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and for said State
My Commission Expires: 8-26-00

ROBERT J. DONOVAN
MY COMMISSION EXPIRES
8-26-00

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 10 day of May, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Robert J. Donovan**, to me personally known, who being by me duly sworn, did say that he is the Senior Vice President and Trust Officer of American Trust & Savings Bank, executing the within and foregoing instrument to which this is attached, that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Robert J. Donovan, Senior Vice President and Trust Officer, acknowledged the execution of the foregoing instrument to the voluntary act and deed of the corporation, by it and by him voluntarily executed.

Kim Shird
Notary Public in and for said State
My Commission Expires:_____

KIM SHIRD
MY COMMISSION EXPIRES
3-27-01

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Blanche Luehrsmann**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

_____
Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 10 day of May, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Robert J. Donovan**, to me personally known, who being by me duly sworn, did say that he is the Senior Vice President and Trust Officer of American Trust & Savings Bank, executing the within and foregoing instrument to which this is attached, that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Robert J. Donovan, Senior Vice President and Trust Officer, acknowledged the execution of the foregoing instrument to the voluntary act and deed of the corporation, by it and by him voluntarily executed.

Kim Shird
Notary Public in and for said State
My Commission Expires:_____

KIM SHIRD
MY COMMISSION EXPIRES
3-27-01

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this ____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Robert J. Donovan**, to me personally known, who being by me duly sworn, did say that he is the Senior Vice President and Trust Officer of American Trust & Savings Bank, executing the within and foregoing instrument to which this is attached, that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Robert J. Donovan, Senior Vice President and Trust Officer, acknowledged the execution of the foregoing instrument to the voluntary act and deed of the corporation, by it and by him voluntarily executed.

_____
Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 24 day of May, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Blanche Luehrsmann**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

_____
Notary Public in and for said State
My Commission Expires: 8-26-00

ROBERT J. DONOVAN
MY COMMISSION EXPIRES
8-26-00

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this ____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Robert J. Donovan**, to me personally known, who being by me duly sworn, did say that he is the Senior Vice President and Trust Officer of American Trust & Savings Bank, executing the within and foregoing instrument to which this is attached, that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Robert J. Donovan, Senior Vice President and Trust Officer, acknowledged the execution of the foregoing instrument to the voluntary act and deed of the corporation, by it and by him voluntarily executed.

_____
Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 13 day of APRIL, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Lawrence Pettinger**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

ROBERT J. DONOVAN
MY COMMISSION EXPIRES
8-26-00

Notary Public in and for said State
My Commission Expires: 8.26.00

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Vernon I. Brunsman**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Norma A. Brunsman**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Lawrence Pettinger**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

_____
Notary Public in and for said State
My Commission Expires:_____

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 7 day of May, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Vernon I. Brunsman**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

ROBERT J. DONOVAN
MY COMMISSION EXPIRES
8-26-00

_____
Notary Public in and for said State
My Commission Expires: 8-26-00

STATE OF IOWA)
) ss:
COUNTY OF DUBUQUE)

On this 7 day of May, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared **Norma A. Brunsman**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

_____
Notary Public in and for said State
My Commission Expires: 8-26-00

ROBERT J. DONOVAN
MY COMMISSION EXPIRES
8-26-00