DELAWARE COUNTY IOWA
FILED
2002 JA 15 AM 10 16
DEBORAH BAKER
DELAWARE CO RECORDER
BOOK 2002 PAGE 187
11:00

Preparer Information Shar Boeckenstedt, Fidelity Bank & Trust, P.O. Box 277, Dyersville, IA 52040 563-875-7157
Individual's Name | Street Address | City | Phone

WHEN RECORDED, RETURN TO:

OPEN-END

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE ("Modification") is dated January 8, 2002 between:

Daniel K. Sawyer & Carol A. Sawyer, husband and wife

(referred to below as "Mortgagor"), whose address is 207 Elizabeth St. Earlville, IA 52041;
and Fidelity Bank & Trust (referred to below as "Mortgagee") whose address is
208 2nd Street SE Dyersville, IA 52040.

MORTGAGE. Mortgagor and Mortgagee have previously entered into a mortgage dated Open End 1-29-98 and recorded in the County Clerk's office of Delaware County, State of Iowa in Book 47, Page 47
and modifications of the mortgage, if any, dated and recorded as follows:

Date	County and State of Recording	Book Number	Page Number(s)

50-47

The mortgage and any previous modifications described above are collectively referred to as the "Mortgage."

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property, buildings, improvements and fixtures located in Delaware County, State of Iowa (the "Mortgaged Property"):

The East One-Half (E½) of Lot Two (2), except the North Four (4) Rods and Thirty Two (32) Links thereof, in Earl's North Addition to Nottingham, Now Earlville, Iowa, according to plat recorded in Book 10 L.D., page 409

The address of the Mortgaged Property is: 207 Elizabeth St. Earlville, IA 52040

MODIFICATION. The Mortgagor and Mortgagee agree to modify the Mortgage, in addition to any previous modifications stated above, as follows:

This Modification of Mortgage increases the credit amount to $25,000.00. 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.

CONTINUING VALIDITY. The terms of the Mortgage shall remain unchanged and in full force and effect, except as expressly modified above. Mortgagee's consent to this Modification does not waive Mortgagee's right to require strict performance of the Mortgage as modified above nor obligate Mortgagee to agree to any future modifications. Nothing in this Modification shall be construed as satisfaction of the Promissory Note or other credit agreement secured by the Mortgage (the "Note"). The indebtedness of the Mortgagor to the Mortgagee evidenced by the Note is a continuing indebtedness and the security interest created by the Mortgage is a continuing security interest. Nothing contained in this Modification shall be interpreted to mean any outstanding balance owing under the Note is paid or any security interest created by the Mortgage is released or terminated. The Mortgagee intends to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, unless a party is expressly released by Mortgagee in writing. If a person who signed the Mortgage does not sign this Modification, then all persons signing below acknowledge and agree that this Modification is given conditionally, based on the representation to the Mortgagee that the non-signing person consents to the changes and provisions of this Modification and will not be released by it.

EACH MORTGAGOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE, AND EACH MORTGAGOR AGREES TO ITS TERMS. EACH MORTGAGOR HEREBY ACKNOWLEDGES THE RECEIPT OF A COPY OF THIS MODIFICATION OF MORTGAGE.

SIGNATURE(S) AND ACKNOWLEDGMENT On Reverse Side Hereof

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MORTGAGEE NAME AND ADDRESS	MORTGAGOR(S) SIGNATURE(S)
Fidelity Bank & Trust 208 2nd Street SE Dyersville, IA 52040	Daniel K. Sawyer Carol A. Sawyer
By Shar Boeckenstedt Shar Boeckenstedt, AVP	

ACKNOWLEDGMENT FOR MORTGAGEE

STATE OF IOWA

COUNTY OF _____ } ss.

On this _____ before me, the undersigned, a Notary Public, the foregoing instrument was acknowledged by

_____

_____

Notary Public

ACKNOWLEDGMENT FOR MORTGAGOR(S)

STATE OF IOWA

COUNTY OF Dubuque } ss.

On this 8th day of January, 2002, before me, the undersigned, a Notary Public, personally appeared

Daniel K. Sawyer and Carol A. Sawyer, husband and wife

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

SHARLEEN S. BOECKENSTEDT
Commission Number 109254
My Commission Expires
5-7-02

Sharleen S. Boeckenstedt

Sharleen S. Boeckenstedt

Notary Public

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