DELAWARE COUNTY IOWA
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BOOK 2002 PAGE 1147
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
11.00

FSHAR03272002012305P

Preparer Information (x) FIDELITY BANK & TRUST | 208 2ND ST. SE P.O. Box 277 | DYERSVILLE, IA 52040 | (563)-875-7157
Individual's Name | Street Address | City | Phone

WHEN RECORDED, RETURN TO:
FIDELITY BANK & TRUST
208 2ND ST. SE P.O. BOX 277
DYERSVILLE, IA 52040

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE ("Modification") is dated 03/28/2002 between:
MICHAEL C. SMITH and NANCY A. SMITH, Husband and Wife

(referred to below as "Mortgagor"), whose address is 302 S PARK ST., EARLVILLE,, IA 52041;
and FIDELITY BANK & TRUST (referred to below as "Mortgagee") whose address is
208 2ND ST. SE P.O. BOX 277 DYERSVILLE, IA 52040.

MORTGAGE. Mortgagor and Mortgagee have previously entered into a mortgage dated 12/18/2000 and recorded in the County Clerk's office of DELAWARE County, State of IOWA in Book 2000, Page 3639
and modifications of the mortgage, if any, dated and recorded as follows:

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

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"):

LOTS 3 AND 4, BLOCK 24, EARLVILLE, IOWA, FORMERLY NOTTINGHAM, IOWA, ACCORDING TO THE PLAT RECORDED IN BOOK I, L.D., PAGE 346.

The address of the Mortgaged Property is: 302 S PARK ST EARLVILLE, IA 52041
MODIFICATION. The Mortgagor and Mortgagee agree to modify the Mortgage, in addition to any previous modifications stated above, as follows:

This Modification refers to #4A of the original Open End Mortgage dated 12-18-00 regarding the Home Equity Line of Credit Promissory Note. The note now referred to has a maximum line of credit in the amount of $7200.00 at National Prime Rate plus 1% executed by Michael C. Smith and Nancy A. Smith dated March 28, 2002, with a maturity date of 3/28/12.

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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FSHAR03272002012305P

MORTGAGEE NAME AND ADDRESS	MORTGAGOR(S) SIGNATURE(S)
FIDELITY BANK & TRUST 208 2ND ST. SE P.O. BOX 277 DYERSVILLE, IA 52040	Michael C Smith MICHAEL C. SMITH Nancy A Smith NANCY A. SMITH

By _____
Shar Boeckenstedt, Assistant Vice President

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 03/28/2002, before me, the undersigned, a Notary Public, personally appeared MICHAEL C. SMITH and NANCY A. SMITH, 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
5-7-05

Sharleen S. Boeckenstedt
Sharleen S. Boeckenstedt Notary Public

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