Del. Co. AB.

DELAWARE COUNTY IOWA
FILED
2002 OCT 15 AM 11:56
BOOK 2002 PAGE 3142
DEBORAH L. PEYTON
DELAWARE COUNTY RECORDER
11.00

Fidelity Bank & Trust
P.O. Box 277
Dyersville, Iowa 52040
Ph. (563) 875-7157

Diane M. Steffen

ASSIGNMENT OF AGREEMENT

This assignment made by DUCLADEL, CORP., Assignors, to Fidelity Bank & Trust of Dyersville, Assignee.

WHEREAS, the Assignors have entered into an agreement for the disposal of manure on certain real estate located in Delaware County, Iowa from Richard H. Recker, Jean A. Recker, and Brian J. Recker and said Agreement was recorded August 27, 1998, in Book 8 Misc., at Page 95 of the records of the Delaware County Recorder

WHEREAS, the Assignor, pursuant to a loan made for the purpose of constructing a hog confinement building or buildings, has executed a promissory note(s) payable to Assignee, and

WHEREAS, Assignor desires to assign said Agreement to Assignee as security for repayment of said loan and any other loans that may be taken in refinancing, extending, reamortizing or restructuring such indebtedness.

NOW, THEREFORE, in consideration of this/these loan(s), Assignors do hereby sell, assign, transfer and convey to Assignee, it's successors and assigns, all of their right, title and interest in, to and under said Agreement, including the right to dispose of animal waste as provided therein, as security for the payment in full of any and all past, present and future debts and liabilities of Assignors to Assignee and to facilitate the repayment of the above described note(s) or any other note(s) or instrument taken in refinancing, extending, reamortizing or restructuring such indebtedness or any part thereof.

Date: 9/26/02

DUCLADEL CORP., Assignor

By: Allen L Bockenstedt
Allen L. Bockenstedt, President

By: Larry J Bell
Larry J. Bell, Secretary/Treasurer

STATE OF IOWA)
)
COUNTY OF DUBUQUE)

On this 26 day of September 2002, before me, a Notary Public, personally appeared Allen L. Bockenstedt, to me known to be the person(s) named in and who executed the foregoing instrument, who did say that he/she is President of the corporation; that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by the authority of its board of directors; and acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and by it and by him/her voluntarily executed.

DANIEL J. ZITELMAN
Commission Number 193261
My Commission Expires
10/30/03

Daniel J. Zitelman
Notary Public – State of Iowa

STATE OF IOWA)
)
COUNTY OF DUBUQUE)

On this 26 day of September, 2002, before me, a Notary Public, personally appeared Larry J. Bell, to me known to be the person(s) named in and who executed the foregoing instrument, who did say that he/she Secretary/Treasurer of the corporation; that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by the authority of its board of directors; and acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and by it and by him/her voluntarily executed.

DANIEL J. ZITELMAN
Commission Number 193261
My Commission Expires
10/30/03

Daniel J. Zitelman
Notary Public – State of Iowa

ACCEPTANCE OF NOTICE OF ASSIGNMENT

Richard H. Recker, Jean A. Recker, and Brian J. Recker, hereby acknowledge receipt of a true copy of said Assignment and accept notice of the provisions thereof and agree to be bound thereby.

Dated: 9/26/02

X Richard H. Recker
Richard H. Recker

X Jean A. Recker
Jean A. Recker

Brian J. Recker
Brian J. Recker

STATE OF IOWA)
)
COUNTY OF DUBUQUE)

On this 26th day of September, 2002, before me, a Notary Public, personally appeared Richard H. Recker, Jean A. Recker and Brian J. Recker, to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

[illegible]ITELMAN
Commission Number 193261
My Commission Expires
10/30/03

Daniel J. Zitelman
Notary Public – State of Iowa