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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

(X) ENV

Prepared by: S. Moroney, PT for FSA, 507 17thSt. SE, Independence, IA 50644 319 334-6036
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(See Page 2 for the Privacy Act and Public Burden Statements)

FSA-2319
(12-31-07)

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

Position 5

AGREEMENT WITH PRIOR LIENHOLDER

1. **WHEREAS** *(a)* Citizens State Bank

(Mortgagee) is the holder of a certain *(b)* Deed of Trust
(Security Instrument) recorded in Book No. *(c)* 2008 Page *(d)* 152 ,
of the *(e)* County Recorder's Records of *(f)* Delaware
County;

2. **WHEREAS** Matthew Jerold Elliott (an unmarried person)

(Mortgagor) is the owner of certain real estate described in the above listed security instrument; and

3. **WHEREAS,** Mortgagor has applied to the United States of America, United States Department of Agriculture, acting through the Farm Service Agency (Government), for a loan for the purpose of improving or purchasing and improving the real estate, to be secured by a mortgage, deed of trust, or other security instrument that will be subject to the Security Instrument held by or for the benefit of Mortgagee;

4. **THEREFORE,** in consideration of the making of the loan by the Government, Mortgagee, for Mortgagee's self, heirs, executors, administrators, successors, and assigns does hereby agree:

(a) That the Mortgagee will not declare the Security Instrument to be in default and the indebtedness secured thereby will not be accelerated unless prior written notice has been provided to the Government by certified mail not less than *(1)* ninety *days of the intended action, at the following address:*

(2) USDA - Farm Service Agency
507 17th Street SE
Independence, IA 50644-9874

(b) That the Government may, at its option cure any monetary default by paying the amount of the Mortgagor's delinquent payments to the Mortgagee, or pay the obligation in full and the Mortgagee will assign the lien to FSA.

(c) That should the Government commence liquidation proceedings and thereafter acquire the real estate covered by the Security Instrument, the Mortgagee will not declare the Security Instrument to be in non-monetary default.

(d) That to the extent the Security Instrument secures future advances, which have priority over the Government's security instrument, no advances for purposes other than taxes, insurance or payment on other prior liens will be made under any future advance feature of the Mortgagee's Security Instrument without the written consent of the Government.

(e) That this agreement includes consent to the Government for making or transferring loans and taking or retaining the related mortgage notwithstanding any provision of the Mortgage which prohibits a loan, mortgage or transfer without the Mortgagee's consent; and

(f) That should the Government obtain title to the property either by foreclosure or voluntary conveyance, the Mortgagee will grant consent so the Government may transfer the property subject to the prior lien notwithstanding any prohibition in the Mortgagee's security instrument to the contrary.

5. **IN WITNESS WHEREOF,** Mortgagee has executed this Agreement by signing on the *(a)* 16th day of*(b)* May, *(c)* 2008.

BY *(d)* Richard E. M. Mahon for Citizens State Bank

TITLE *(e)* Vice President

6. ACKNOWLEDGMENT

STATE OF IOWA
COUNTY OF BUCHANAN

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 5-16-08 BY RICHARD MCMAHON AS VICE PRESIDENT OF CITIZENS STATE BANK IN ITS BEHALF.

CAROL J. BIRD
Commission Number 110007
My Comm. Exp. 6-14-2011

Carol J Bird
5-16-08

CAROL J BIRD, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
MY COMMISSION EXPIRES: 6/14/2011

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