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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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Fee Amt: $14.00 Page 1 of 2
Dubuque County Iowa
Kathy Flynn Thurlow Recorder
File 2009-00014094

Brandy Stout
515-290-8550

Parcel # 160.04.00.013.00
Carla Becker Auditor
Verified By: PAULA Hargrafer

Return to: Lana Offill – JCG LAND SERVICES 1715 South G Ave Nevada, Iowa 50201 515-382-1698
Prepared By: Lana Offill – JCG LAND SERVICES 1715 South G Ave Nevada, Iowa 50201 515-382-1698

# SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Whereas, Fidelity Bank & Trust is the owner and holder of a Deed of Trust dated February 10, 2005, recorded in Volume/Book 2005 Page 506 in the office of the Recorder of ~~Dubuque~~ Delaware County, Iowa said Deed of Trust being a lien upon the following described lands located in ~~Dubuque~~ Delaware County in the State of Iowa:

The South ½ of the Northeast ¼ of Section 4, Township 89 North, Range 4 West of the 5th P.M., Delaware County, Iowa subject to legal highways and easements of record.

Whereas, the owner, David D. & Georgia L. Hunt, of the above-described lands has granted to ITC Midwest LLC on April 17, 2009, an easement upon, over, under and across the above described lands, together with the right to construct, reconstruct, maintain, operate, patrol, and remove facilities, fixtures, and equipment for its Corporate purposes, and the right of ingress to and egress from said facilities for the purpose of constructing, reconstructing, maintaining, operating, patrolling or removing said facilities, fixtures and equipment.

NOW, THEREFORE, in consideration of $0.00 in hand paid, receipt whereof is hereby acknowledged Fidelity Bank & Trust hereby consents to said easement and the grants created thereby, and the use of the lands above described for the purposes recited in said instrument granting said easement and hereby acknowledges that the said lands are subject to said easement and the grants and use of said lands in connection therewith, and further acknowledges that said Deed of Trust shall, from and after this date be subject to said easement, and is junior and inferior to same, and the said Deed of Trust is hereby subordinated to said easement.

Dated this 3rd day of June, 2009.

By: Mindy Burds, VP
Mindy Burds
Nathan J. Freeze, AVP
Nathan J. Freeze

**STATE OF IOWA:**

**ss:**

**COUNTY:** Dubuque

On this 15th day of June, 2009 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Mindy Burds and Nathan J Freeze to me personally known, who being by me duly sworn, did say that they are the Vice President and Assistant Vice President, respectively, of said corporation, executing the within and foregoing instrument, That (no seal has been procured by the said) ~~or (the seal affixed thereto is the seal of said)~~ corporation; that said instrument was signed ~~(and sealed)~~ on behalf of said corporation by authority of its Board of Directors; and that the said Vice President and Assistant Vice President as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Briget Putz
+ Notary Public in and for said County and State

BRIGET PUTZ
Commission Number 757910
My Commission Expires
4-21-2012

BRIGET PUTZ
Commission Number 757910
My Commission Expires
4-21-2012