Book 2010 Page 943
Document 2010 943 Type 05 001 Pages 5
Date 4/02/2010 Time 8:58:23AM
Rec Amt $56.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

ASSIGNMENT

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)
Paul J. Sigwarth, O'Connor & Thomas, P.C., 700 Locust St., Suite 200, Dubuque, IA 52001
Phone: (563) 557-8400

Taxpayer Information: Elmer and Mary White Revocable Trust dated June 17, 1992, 2994 164th Street, Dyersville, IA 52040

Address Tax Statement: Elmer and Mary White Revocable Trust dated June 17, 1992, 2994 164th Street, Dyersville, IA 52040

Return Document To: H. Raymond Terpstra, II, 3600 First Avenue NE – Suite 101, Cedar Rapids, IA 52402

Grantors:
American Trust and Savings Bank

Grantees:
The Elmer and Mary White Revocable Trust dated June 17, 1992

Document or instrument number of previously recorded documents:

Deed of Trust filed in Book 2008 at Page 2456
Buyer's Assignment of Real Estate Contract filed in Book 2008 at Page 2455
Deed of Trust filed in Book 2008 at Page 2457
Real Estate Mortgage filed in Book 2002 at page 540

Paul J. Sigwarth, ISBA 00015585

Assignment

For valuable consideration, receipt of which is hereby acknowledged, AMERICAN TRUST & SAVINGS BANK, an Iowa Banking Corporation, does hereby sell, assign and transfer to THE ELMER AND MARY WHITE REVOCABLE TRUST DATED JUNE 17, 1992, ("Assignee") all of its right, title and interest in the promissory notes, mortgages, security agreements, debt instruments and instruments that secure same, described below, TO HAVE AND TO HOLD THE SAME UNTO THE Assignee and to the successors, legal representatives, and assigns of the Assignee forever.

This Assignment is made pursuant to a settlement to be completed by and between AMERICAN TRUST & SAVINGS BANK, ELMER AND MARY WHITE REVOCABLE TRUST DATED JUNE 17, 1992, and CHARLES AND JENNIFER WHITE, to be financed in part by AMERICAN TRUST & SAVINGS BANK.

This Assignment is made by AMERICAN TRUST & SAVINGS BANK, without recourse and without any warranties of any kind whatsoever, express or implied, including without warranties as to their enforceability, collectability, documentation, or freedom from liens and encumbrances, in whole or in part, in any case or event, or for any purpose whatsoever.

1. Promissory Note No. 49283, by Charles and Jennifer White to American Trust & Savings Bank, dated August 7, 2008, with a Maturity Date of August 7, 2012, in the Loan Amount of $1,000,000, and all extensions thereto.

2. Security Agreement, by Charles and Jennifer White to American Trust & Savings Bank, dated August 7, 2008.

3. Financing Statement by Charles and Jennifer White to American Trust & Savings Bank, filed with the Iowa Secretary of State, UCC Filing #K703530, Filed January 12, 1996, Continued October 23, 2000, and Continued July 28, 2005.

4. Deed of Trust, by Charles and Jennifer White to American Trust & Savings Bank, dated August 7, 2008, (248.5 Acres), Filed August 8, 2008, Book 2008, Page 2456, with the Delaware County Recorder, in the Amount: $4,600,000.

5. Buyer's Assignment of Real Estate Contract, by Charles and Jennifer White to American Trust & Savings Bank, dated August 7, 2008 (248.5 Acres), Filed August 8, 2008, Book 2008, Page 2455, with the Delaware County Recorder.

6. Deed of Trust, by Charles and Jennifer White, to American Trust & Savings Bank, dated August 7, 2008, (10 Acres and Buildings), Filed August 8, 2008, Book 2008, Page 2457, Amount: $1,000,000.

7. Assignment of Life Insurance, by Charles and Jennifer White to American Trust & Savings Bank, dated March 5, 2008, in the Amount of $2,000,000, in the name of Charles White, and issued by Farm Bureau Insurance Company.

8. Promissory Note No. 47590 by Charles and Jennifer White to American Trust & Savings Bank, Dated August 7, 2008, Maturity Date December 31, 2008, Loan Amount: $4,600,000.00, extended to: July 31, 2009, and all extensions thereto.

9. Promissory Note No. 47748, by Charles and Jennifer White to American Trust & Savings Bank, Dated: July 2, 2007, Maturity Date: May 1, 2012, Loan Amount: $250,000, and all extensions thereof.

10. Security Agreement by Charles and Jennifer White to American Trust & Savings Bank, dated February 2, 2006.

11. Real Estate Mortgage, by Charles and Jennifer White to American Trust & Savings Bank, Dated February 6, 2002 (41 Acres), Filed February 11, 2002, Book 2002, Page 540, with the Delaware County Recorder, in the amount of $118,900.

12. Promissory Note No. 42881, by Charles and Jennifer White to American Trust & Savings Bank, Dated: February 6, 2002 in the original amount of $118,900, and refinanced on February 2, 2006, in the Loan Amount of $98,954.85, with a Maturity Date of February 2, 2011, and all extensions thereof.

13. Financing Statement by Charles and Jennifer White to American Trust & Savings Bank, Dated: August 31, 2009, filed with the Iowa Secretary of State, File No. E09023425-5.

14. Any and all other debt instruments, security instruments and perfection instruments obtained from Charles and Jennifer White by American Trust & Savings Bank.

The undersigned warrants that it has the legal capacity and authority to assign the above-described assets.

IN WITNESS WHEREOF, AMERICAN TRUST & SAVINGS BANK has duly executed this assignment on March 31, 2010.

AMERICAN TRUST & SAVINGS BANK

Linus Kuboushek 2nd Sr V.P.

By: Linus Kuboushek

Its: 2nd Sr. Vice President

Acknowledgement of Charles White and Jennifer White

The undersigned hereby acknowledge and consent to the above Assignment. The undersigned further acknowledge and consent that this document may be recorded in the public records of Delaware County with the Delaware County Recorder. The undersigned further acknowledge and consent that The Elmer and Mary White Revocable Trust Dated June 17, 1992, as Assignee, shall have all of the secured parties' rights and remedies under any of the agreements noted above, and the undersigned shall not assert as a defense, counterclaim, setoff, cross complaint or otherwise, any claim known or unknown, which they now have or may possess against the original secured parties in any action commenced by The Elmer and Mary White Revocable Trust Dated June17, 1992, as Assignee of the above-described agreements, or the notes which secure the indebtedness to the Assignee.

Charles White, Individually

Jennifer White, Individually

STATE OF IOWA,)
) ss
DUBUQUE COUNTY)

On this 31 day of March, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Linus Kuboushek, to me personally known who being by me duly sworn, did say that he is the 2nd Sr. Vice President, of AMERICAN TRUST & SAVINGS BANK, the corporation executing the within and foregoing instrument to which its is attached, that no seal has been procured by the corporation; that said instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Linus Kuboushek as officer acknowledge the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

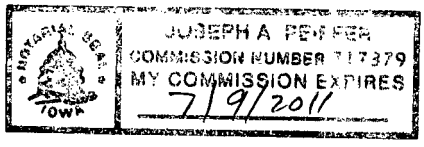
Notary Public in and for said State
My Commission Expires: July 9, 2011

NOTARIAL SEAL IOWA
JOSEPH A PEIFFER
COMMISSION NUMBER 717379
MY COMMISSION EXPIRES
7/9/2011

STATE OF IOWA)
) ss
COUNTY OF DUBUQUE)

On this 31 day of March, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Charles White to me know to be the person named in an who executed the foregoing instrument, and acknowledge that he executed the same as his voluntary act and deed.

Notary Public in and or said State
My Commission Expires: July 9, 2011



STATE OF IOWA)
) ss
COUNTY OF DUBUQUE)

On this 31 day of March, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jennifer White to me know to be the person named in an who executed the foregoing instrument, and acknowledge that she executed the same as her voluntary act and deed.

Notary Public in and or said State
My Commission Expires: July 9, 2011

