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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By: Julian Carrillo, JCG Land Services, Inc., 1715 South G Avenue, Nevada, IA 50201, (515) 382-1698
Return to: Brandy Stark, JCG Land Services, Inc., 1715 South G Avenue, Nevada, IA 50201, (515) 382-1698

# SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Whereas, Metropolitan Life Insurance Company is the owner and holder of a Mortgage dated May 28, 2002, recorded in Volume/Book 2002/2022 in the office of the Recorder of Delaware County, Iowa said Mortgage being a lien upon the following described lands located in Delaware County in the State of Iowa:

Said Mortgage being assigned to Metropolitan Life Insurance Company on July 11, 2002, recorded in Volume/Book 2002/2630 in the office of the Recorder of Delaware County.
See Exhibit "A" hereto attached. ON PAGE #2

Whereas, the owner, Donald J & Jean K. Pottebaum, of the above-described lands has granted to ITC Midwest LLC on April 15, 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 $00.00 in hand paid, receipt whereof is hereby acknowledged Metropolitan Life Insurance Company 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 Mortgage shall, from and after this date be subject to said easement, and is junior and inferior to same, and the said Mortgage is hereby subordinated to said easement.

Dated this 2nd day of April, 2010.

By: Dana P Burden
Dana P. Burden

**STATE OF IOWA:**

**COUNTY:** Polk **ss:**

On this 2nd day of April, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dana P. Burden and _____ to me personally known, who being by me duly sworn, did say that ~~they~~ he is ~~are~~ the Director and _____, ~~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 Dana P. Burden and _____ as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by ~~them~~ him voluntarily executed.

_____
+ Notary Public in and for said County and State

JEANNE P. CINNAMON
Notarial Seal – IOWA
Commission No. 745855
My Commission Expires March 19, 2013

## EXHIBIT "A"

All that part of the South Half (S ½) of the Northwest Quarter (NW ¼) of Section Three (3), Township Eighty-nine (89) North, Range Four (4) West of the 5th P.M., which lies West of the Public Road, Delaware County, Iowa, except Parcel "B" in the SE ¼ of the NW ¼ of Sec. 3-T89N-R4W of the 5th P.M., as shown on "Plat of Survey" filed in the office of the Recorder, Delaware County, Iowa, on July 17, 1997, in Book 8 Plats at Page 64.