Book 2010 Page 1533

Document 2010 1533 Type 04 008 Pages 1
Date 5/21/2010 Time 2:37:42PM
Rec Amt $9.00

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, Fidelity Bank and Trust is the owner and holder of a Assignment of Purchaser's Equity dated March 1, 1995, recorded in Book 134 *at* Page 333 in the office of the Recorder of ~~Dubuque~~ Delaware County, Iowa said Assignment of Purchaser's Equity being a lien upon the following described lands located in ~~Dubuque~~ Delaware County in the State of Iowa:

The South Half (S ½) of the Southwest Quarter (SW ¼), and the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼), and the West Half (W ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼), except the North 36 feet thereof, all in Section Three (3), Township Eighty-nine (89) North, Range Three (3) West of the 5th P.M., ~~Dubuque~~ Delaware County, Iowa.

Whereas, the owner, Keith T. Bockenstedt and Kristi J. Bockenstedt of the above-described lands has granted to ITC Midwest LLC on October 29, 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 Fidelity Bank and 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 Assignment of Purchaser's Equity shall, from and after this date be subject to said easement, and is junior and inferior to same, and the said Assignment of Purchaser's Equity is hereby subordinated to said easement.

Dated this 9th day of April, 2010.

By: Nathan J Freeze VP
Print name: Nathan J Freeze VP

By:
Print name: Jason Heisler

FIDELITY BANK & TRUST CORPORATE SEAL DUBUQUE, IOWA

STATE OF IOWA:
ss:
COUNTY: DUBUQUE

On this 9th day of April, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Nathan J Freeze and Jason Heisler to me personally known, who being by me duly sworn, did say that they are the Vice President and 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 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.

Alan R. Besler
+ Notary Public in and for said County and State

NOTARIAL SEAL IOWA
ALAN R. BESLER
Commission Number 749595
My Comm. Exp. 10-24-10