Book 2010 Page 1943
Document 2010 1943 Type 04 008 Pages 4
Date 6/25/2010 Time 10:00:14AM
Rec Amt $24.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

FOR RECORDER'S USE ONLY

Prepared By: Thomas Walch, Hills Bank & Trust Company, 131 Main Street, PO Box 160, Hills, IA 52235, (800) 445-5725

ADDRESS TAX STATEMENT:
Brian L Vanous and Anita Vanous, 205 E Walnut St, PO Box 87, Quasqueton, IA 52326

RECORDATION REQUESTED BY:
Hills Bank & Trust Company, Cedar Rapids Southwest, 131 Main Street, PO Box 160, Hills, IA 52235

WHEN RECORDED MAIL TO:
Hills Bank & Trust Company, Attn: Post-Closing Dept., 131 Main Street; PO Box 160, Hills, IA 52235-0160

MODIFICATION OF MORTGAGE

The names of all Grantors (sometimes "Grantor") can be found on page 1 of this Modification. The names of all Grantees (sometimes "Lender") can be found on page 1 of this Modification. The property address can be found on page 1 of this Modification. The legal description can be found on page 1 of this Modification. The parcel identification number can be found on page 1 of this Modification. The related document or instrument number can be found on page 1 of this Modification.

THIS MODIFICATION OF MORTGAGE dated June 14, 2010, is made and executed between Brian L Vanous and Anita Vanous; as Husband and Wife (referred to below as "Grantor") and Hills Bank & Trust Company, whose address is 131 Main Street, PO Box 160, Hills, IA 52235 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated October 8, 2007 (the "Mortgage") which has been recorded in Delaware County, State of Iowa, as follows:

10/29/2007 in Book 2007, Paeg 3503 in the records of Delaware County, Iowa.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Delaware County, State of Iowa:

That part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township Eighty-seven (87) North, Range Six (6) West of the Fifth P.M., described as commencing at a point one hundred (100) feet West of the Southeast corner of said Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4), running thence West One Hundred (100) feet, thence North one hundred forty-five (145) feet, thence East two Hundred (200) feet, thence South seventy (70) feet, thence West one hundred (100) feet, thence South Seventy-five (75) feet to the point of beginning.

The Real Property or its address is commonly known as 718 Iowa Street, Ryan, IA 52330. The Real Property tax identification number is 000690000209300 & 000690000209310. The Real Property parcel identification number is 000690000209300 & 000690000209310.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

The Real Property Address show now be known as 718 Iowa Street, Ryan, Iowa 52330

and

Said Mortgage is modified to increase the Open-End Feature to said mortgage from $76,000.00 to $107,186.52.

Additionally, the open-end feature of said mortgage is hereby modified to read as follows:

NOTICE: THIS MORTGAGE SECURES CREDIT IN THE AMOUNT OF $107,186.52. LOANS AND

ADVANCES UP TO THIS AMOUNT, TOGETHER WITH INTEREST, ARE SENIOR TO INDEBTEDNESS TO OTHER CREDITORS UNDER SUBSEQUENTLY RECORDED OR FILED MORTGAGES AND LIENS.

In addition, provision 1(d) of said Mortgage is also modified to replace $76,000.00 with $107,186.52 in that section.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JUNE 14, 2010.

GRANTOR ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THIS MODIFICATION OF MORTGAGE AND ALL OTHER DOCUMENTS RELATING TO THIS DEBT.

GRANTOR:

X _____
Brian L Vanous

X Anita Vanous
Anita Vanous

LENDER:

HILLS BANK & TRUST COMPANY

X _____
Harold R. Stone, Commercial Banking Officer

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Iowa)
) **SS**
COUNTY OF Linn)

On this 21st day of June, A.D., 20 10, before me, a Notary Public in and for said County and State, personally appeared **Brian L Vanous, as husband,** to me known to be the person named in and who executed the foregoing instrument and acknowledged that he or she executed the same as his or her voluntary act and deed.

HAROLD R. STONE II
Commission Number 752796
My Commission Expires
May 15, 2011

Notary Public in the State of
IA

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Iowa)
) **SS**
COUNTY OF Linn)

On this 21st day of June, A.D., 20 10, before me, a Notary Public in and for said County and State, personally appeared **Anita Vanous, as wife,** to me known to be the person named in and who executed the foregoing instrument and acknowledged that he or she executed the same as his or her voluntary act and deed.

HAROLD R. STONE II
Commission Number 752796
My Commission Expires
May 15, 2011

Notary Public in the State of
IA

LENDER ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Linn)

On this 21st day of June, A.D., 20 10, before me, the undersigned Notary Public in said County and State, personally appeared **Harold R. Stone** and known to me to be the **Commercial Banking Officer,** authorized agent for **Hills Bank & Trust Company** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Hills Bank & Trust Company,** duly authorized by **Hills Bank & Trust Company** through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of **Hills Bank & Trust Company**.

By _____ Residing at Linn

Notary Public in and for the State of _____ My commission expires 9·13·10

HOLLY HUGGINS
Commission Number 748874
My Commission Expires
9·13·10

LASER PRO Lending, Ver. 5.50.00.006 Copr. Harland Financial Solutions, Inc. 1997, 2010. All Rights Reserved. - IA L:\HARLAND\CFI\LPL\G201.FC TR-6456 PR-48