Book 2010 Page 2936
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY & Return to: Fidelity Bank & Trust, Susan A. Osterhaus, 507 Hwy 52 South, PO Box 99, Guttenberg, IA 52052 Ph: 563-252-1493

SUBORDINATION AGREEMENT

Grantor: Fidelity Bank & Trust **Grantee: Fidelity Bank & Trust**

This Agreement made on the 27h day of September, 2010 by **Fidelity Bank & Trust, 507 Hwy 52 South, Guttenberg, IA.**

Fidelity Bank & Trust now owns and holds an open-end mortgage from Jason L. and Jamie L. Hillers, Husband and Wife, on the following described real property:

See Attached Exhibit "A" on Page 2

Said open-end mortgage is to secure the sum of $13,000.00 dated **June 23, 2010**, and filed **June 28, 2010** as Instrument No. **2010-1960** of the records of the Delaware County Recorder's Office.

The present record title holder, Jason L. and Jamie L. Hillers, Husband and Wife, wishes to give a mortgage on the described property to **Fidelity Bank & Trust**, as security for a Promissory Note and **Fidelity Bank & Trust,** will not accept said mortgage unless the mortgage held by Fidelity Bank & Trust, is subordinated to their mortgage.

Therefore, in consideration of the premises and to induce **Fidelity Bank & Trust** to accept the mortgage on the described premises from Jason L. Hillers and Jamie L. Hillers, Husband and Wife, **Fidelity Bank & Trust** hereby covenants and agrees that the lien of the above-described mortgage in the amount of **$13,000.00** dated **June 23, 2010**, and filed **June 28, 2010** as Instrument No. **2010-1960**, of the records of the **Delaware** County Recorder's Office, shall be SUBJECT AND SUBORDINATE to the lien of a new first mortgage from Jason L. and Jamie L. Hillers, Husband and Wife, **said new mortgage not to exceed the sum of $129,500.00 dated September 22, 2010**.

FIDELITY BANK & TRUST CORPORATE SEAL DUBUQUE, IOWA

Fidelity Bank & Trust

Rollin R. Harder, Market President

Susan A. Osterhaus, Vice President

STATE OF IOWA

County of Clayton:

On this 27th day of September, 2010, before me, a Notary Public in the State of Iowa, personally appeared Rollin R. Harder and Susan A. Osterhaus, to me known who, being by me duly sworn, did say that they are the Market President and Vice President respectively, of Fidelity Bank & Trust, and the seal affixed to the said instrument is the corporate seal of the said corporation, and that the said instrument was signed and sealed in behalf of said corporation, by authority of its Board of Directors; and that the said Rollin R. Harder and Susan A. Osterhaus as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntary executed.

LANA L. TROESTER Commission Number 729638 My Commission Expires 07/23/2013

Notary Public in & for said County & State

Commission Expires: 07/23/2013

Exhibit "A"

That part of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section Thirty Five (35), Township Eighty Nine (89) North, Range Six (6) West of the 5th P.M. described as beginning at the Southeast corner of said Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4), thence North 89°44'58" West three hundred forty eight and one-tenth (348.1) feet along the South line of said Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4), thence North 01°19'24" West nine hundred ninety five and nine-tenths (995.9) feet, thence North 89°09'08" East three hundred seventy one and two-tenths (371.2) feet, thence South one thousand two and seven-tenths (1002.7) feet along the East line of said Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) to the point of beginning. Per plat recorded in Book 6, Plats, Page 68, also subject to easements of record.