Recorded: 2/12/2014 at 8:53:33.0 AM
Fee Amount: $12.00
Revenue Tax:
Delaware County, Iowa
DEBORAH PEYTON, RECORDER
BK: 2014 PG: 324

PREPARER
INFORMATION: Dodd D. Scroggin, Vice President
101 EAST UNION, PO BOX 77, EDGEWOOD, IA 52042 (563)928-6425

AFTER RECORDING RETURN TO: Community Savings Bank - See Above

**ASSIGNMENT AND CONVEYANCE OF REAL ESTATE CONTRACT AND NOTICE AGREEMENT**

THIS ASSIGNMENT AND CONVEYANCE OF REAL ESTATE CONTRACT AND NOTICE AGREEMENT, is made on the 31 day of January, 2014 by and between Eric M. Thurn and Abbey J. Thurn, husband and wife, Community Savings Bank, an Iowa Banking Corporation, and Carl S. Thurn Jr. and Constance Thurn, husband and wife

Eric M. Thurn and Abbey J. Thurn, husband and wife, do hereby assign, transfer, convey, set over, and quit claim all of their right, title and interest in and to a Real Estate Contract dated the 3rd day of February 2014, by and between Carl S. Thurn Jr. and Constance Thurn, husband and wife, and Eric M. Thurn and Abbey J. Thurn, husband and wife, and recorded in the office of the Delaware County Recorder on the 10th day of February 2014 as Instrument Number BK 2014 Pg 304 to Community Savings Bank. The Real Estate Contract deals with title to the following described real estate to-wit:

**Lot Three (3) of the Plat of the Subdivision of the NE ¼ of the NE ¼ of Section 3, T90 N, R5W of the Fifth P.M., Delaware County, Iowa according to plat recorded in Book 5 Plats, Page 104.**

**And**

**Parcel "B", a part of Lot 11 located within the Subdivision of the NE Quarter, NE Quarter, Section 3, T90N, R5W, 5th P.M., Delaware County, Iowa according to plat recorded in Book 1999, Page 2949.**

**Property Address: 1980 Hwy 3 West, Edgewood, Iowa**

In consideration of a loan to be made by Community Savings Bank, which loan is to be secured wholly or partly by the Real Estate Contract referred to herein. Carl S. Thurn Jr. and Constance Thurn, husband and wife, Eric M. Thurn and Abbey J. Thurn, husband and wife, for themselves, their heirs, executors, administrators and assigns, hereby agree that in the event the Borrower shall make a default under his contract with the undersigned for the purchase of the above described real estate as dated and as recorded as heretofore referred to in the office of the Clayton County, Iowa Recorder's Office, the undersigned, shall, at least ninety (90) days prior to the exercise of their right of cancellation of said Contract, give written notice by certified mail, to Community Savings Bank, 101 East Union Street, PO Box 77, Edgewood, Iowa 52042, informing Community Savings Bank of said default and of their intention to cancel said Contract not less than ninety (90) days thereafter, unless said default is removed prior to said date. It is also hereby agreed that in this event or in the event Community Savings Bank exercises its right of foreclosure on the Real Estate Contract, Community Savings Bank may pay in full the amount still due on the Contract.

Carl S. Thurn and Constance Thurn, husband and wife, by affixing their signatures hereto, consents to the assignment of the Real Estate Contract, in the event consent is necessary, and agrees to provide the notice described herein to Community Savings Bank in the event of default by Eric M. Thurn and Abbey J. Thurn and/or Carl S. Thurn and Constance Thurn in the performance of and under the Real Estate Contract.

Carl S. Thurn Jr.

Constance Thurn

**STATE OF IOWA, COUNTY OF CLAYTON, ss:**

This instrument was acknowledged before me on the 4TH day of FEBRUARY 2014, by Carl S. Thurn and Constance Thurn, husband and wife.

Notary Public in and for the State of Iowa

Eric M. Thurn

Abbey J. Thurn

DODD D. SCROGGIN
Commission Number 167888
My Commission Expires
JAN 5, 2017

**STATE OF IOWA, COUNTY OF CLAYTON, ss:**

This instrument was acknowledged before me on the 31ST day of JANUARY 2014, by Eric M. Thurn and Abbey J. Thurn, husband and wife.

Notary Public in and for the State of Iowa

DODD D. SCROGGIN
Commission Number 167888
My Commission Expires
JAN. 5, 2017

COMMUNITY SAVINGS BANK

Steven A. Brady
President & CEO

Jacqueline A. Johnson
Executive Vice President

**STATE OF IOWA, COUNTY OF DELAWARE, ss:**

This instrument was acknowledged before me on the 11TH day of FEBRUARY 2014, by Steven A. Brady, as President and CEO of Community Savings Bank and Jacqueline A. Johnson, Executive Vice President of Community Savings Bank.

Notary Public in and for the State of Iowa

REGINA R. SELOOVER
Commission Number 195493
My Commission Expires
05/18/16