Owl
Iowa Natural Heritage Foundation
505 5th Ave Ste 444
Des Moines IA
50309-2321

Book 2014 Page 3181
Document 2014 3181 Type 04 008 Pages 2
Date 12/19/2014 Time 12:23:26PM
Rec Amt $12.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by/Return to: Matthew G. McQuillen, PO Box 228, Anamosa, IA 52205 - (319) 462-3577

SUBORDINATION AGREEMENT

WHEREAS, Fidelity Bank & Trust (hereinafter "Bank") is the present owner and holder of a Deed of Trust dated January 15, 2014 and recorded in Book 2014, Page 150 on January 22, 2014 in the Office of the Delaware County, Iowa Recorder wherein Matthew G. McQuillen and Elizabeth A. McQuillen (hereinafter "McQuillens") are mortgagors; and

WHEREAS, McQuillens are contemplating protecting certain natural aspects of part of the real estate encumbered by such Deed of Trust by executing and delivering a Deed of Conservation Easement to Iowa Natural Heritage Foundation; and

WHEREAS, Iowa Natural Heritage Foundation is willing to accept such Deed of Conservation Easement only in the event Bank is willing to subordinate its mortgage to the provisions of the Deed of Conservation Easement, which deed shall apply to the following described real estate located in Delaware County, Iowa:

All that part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Twenty Five (25) that lies West of the Maquoketa River except commencing at a point two hundred forty four and thirty two one-hundredths (244.32) feet South and five hundred seven and nine one-hundredths (507.09) feet East of the Northwest corner of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), and running thence South 10° 28' 20" West five hundred ninety five and thirty one one-hundredths (595.31) feet, thence South 86° 29' 40" East two hundred seven and seventy one one-hundredths (207.71) feet, thence North 37° 10' 20" East seven hundred ten (710.0) feet along the center of the Maquoketa River, thence North 86° 29' 40" West five hundred twenty nine and twelve one-hundredths (529.12) feet to the point of beginning, and the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty Six (26), and the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty Five (35), and all that part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section Thirty Six (36) which lies West of the Maquoketa River and North of the Wild Cat and Table Rock Road, all in Township Eighty Seven (87) North, Range Four (4), West of the Fifth P.M., and the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty Five (35), all in Township Eighty Seven (87) North, Range Four (4), West of the Fifth P.M., Delaware County, Iowa;

and,

WHEREAS, Bank, as an inducement to Iowa Natural Heritage Foundation to accept the Deed of Conservation Easement from McQuillens, is willing to subordinate its Deed of Trust as identified above to the Deed of Conservation Easement.

THEREFORE, for good and valuable consideration including, but not limited to the inducement to Iowa Natural Heritage Foundation to accept the Deed of Conservation Easement from McQuillens, Bank does hereby subordinate any rights, title and interest it may have in the real estate described above by virtue of the aforementioned Deed of Trust and all extensions and renewals thereof, only to the Deed of Conservation Easement placed on the subject property to be held by Iowa Natural Heritage Foundation.

Dated this 18th day of December, 2014.

FIDELITY BANK & TRUST

BY: _____
Aaron L. Zumbach, President

STATE OF IOWA)
) ss.
COUNTY OF JONES)

This instrument was acknowledged before me on this 18th day of December, 2014 by Aaron L. Zumbach as President of Fidelity Bank & Trust.

_____
Notary Public in and for said State

DOUGLAS W. EDEL
Commission Number 711937
My Commission Expires
8-10-2016