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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

FOR RECORDER'S USE ONLY

**Prepared By: KAITLYN COOLEY, MidWestOne Bank, 102 S. Clinton Street, Iowa City, IA 52240, (319) 356-5800**

**ADDRESS TAX STATEMENT:**
**DARLINE D HORTON and MARSHALL RAY HORTON, 4218 YVETTE ST SW BLD B UNIT 1, IOWA CITY, IA 52240**

**RECORDATION REQUESTED BY:**
**MidWestOne Bank, Iowa City 1 - Downtown, 102 S. Clinton Street, Iowa City, IA 52240**

**WHEN RECORDED MAIL TO:**
**MidWestOne Bank, Iowa City 1 - Downtown, 102 S. Clinton Street, Iowa City, IA 52240**

# 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 related document or instrument number can be found on page 1 of this Modification.

**THIS MODIFICATION OF MORTGAGE dated April 14, 2015, is made and executed between DARLINE D HORTON and MARSHALL RAY HORTON, whose address is 4218 YVETTE ST SW BLD B UNIT 1, IOWA CITY, IA 52240 (referred to below as "Grantor") and MidWestOne Bank, whose address is 102 S. Clinton Street, Iowa City, IA 52240 (referred to below as "Lender").**

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated October 27, 2008 (the "Mortgage") which has been recorded in DELAWARE County, State of Iowa, as follows:

**THIS MORTGAGE WAS FILED FOR RECORD ON OCTOBER 30, 2008, IN BOOK 2008 PAGE 3359 IN THE OFFICE OF THE DELAWARE COUNTY RECORDER.**

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

LOT THREE (3) OF PETLON'S RIVER SUBDIVISION OF PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY EIGHT (88) NORTH, RANGE FIVE (5), WEST OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, ACCORDING TO THE PLAT RECORDED IN BOOK 6 PLATS, PAGE 43.

The Real Property or its address is commonly known as 20765 248TH ST, MANCHESTER, IA 52057.

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

**IN CONSIDERATION OF THE MUTUAL PROMISES AND AGREEMENTS HEREIN SET FORTH, AND FOR OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES HERETO AGREE THAT THE TIME PROVIDED IN SUCH MORTGAGE FOR THE PAYMENT OF THE PRINCIPAL SUM NOW SECURED THEREBY IS HEREBY EXTENDED TO APRIL 14, 2040, AND TO ADD NOTICE OF WAIVER OF HOMESTEAD EXEMPTION, WITH THE OTHER TERMS AND CONDITIONS OF SAID MORTGAGE AS RECORDED TO REMAIN IN FULL FORCE AND EFFECT.**

**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 APRIL 14, 2015.**

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

**GRANTOR:**

X _____
**DARLINE D HORTON**

X _____
**MARSHALL RAY HORTON**

**LENDER:**

**MIDWESTONE BANK**

X _____
Authorized Officer JERRY L. VANNI

MidWestOne Bank CORPORATE SEAL IOWA CITY, IOWA

## NOTICE OF WAIVER OF HOMESTEAD EXEMPTION

**GRANTOR UNDERSTANDS THAT HOMESTEAD PROPERTY IS IN MANY CASES PROTECTED FROM THE CLAIMS OF CREDITORS AND EXEMPT FROM JUDICIAL SALE, AND THAT BY SIGNING THIS MODIFICATION, GRANTOR VOLUNTARILY GIVES UP GRANTOR'S RIGHT TO THIS PROTECTION FOR THIS MORTGAGED PROPERTY WITH RESPECT TO CLAIMS BASED UPON THIS MODIFICATION. DATED APRIL 14, 2015.**

**GRANTOR:**

X _____
**DARLINE D HORTON**

X _____
**MARSHALL RAY HORTON**

## INDIVIDUAL ACKNOWLEDGMENT

**STATE OF** Iowa )
) **SS**
**COUNTY OF** Johnson )

This record was acknowledged before me on April 14, 2015 by **DARLINE D HORTON and MARSHALL RAY HORTON, WIFE AND HUSBAND.**

JERRY L. VANNI
COMMISSION NUMBER 144703
MY COMMISSION EXPIRES 6-17-15
IOWA NOTARIAL SEAL

**Notary Public in and for the State of** Iowa
**My commission expires** 6-17-15

## LENDER ACKNOWLEDGMENT

**STATE OF** Iowa )
) **SS**
**COUNTY OF** Johnson )

This record was acknowledged before me on April 14, 2015 by Jerry L. Vanni as Vice President of **MidWestOne Bank.**

Gail R Halloran
**Notary Public in and for the State of** Iowa
**My commission expires** 3/31/2017

*NOTARIAL SEAL* IOWA
**GAIL R HALLORAN**
Commission Number 783379
My Commission Expires
3/31/2017

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