Book 2015 Page 1384

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

**Prepared By:**

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|---|---|---|
| (Name) | (Address) | (Telephone No.) |

**Return To:**

| Farm Service Agency | 200 South 12th St. Manchester, IA 52057 | 563-927-4250 |
|---|---|---|
| (Name) | (Address) | (Telephone No.) |

**This form is available electronically.**

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*(See Page 2 for Privacy Act and Paperwork Reduction Act Statements)*

**FSA-2319 IA** (02-10-12)

**U.S. DEPARTMENT OF AGRICULTURE**
Farm Service Agency

Position 5

## AGREEMENT WITH PRIOR LIENHOLDER

1. **WHEREAS** *(a)* Farmers & Merchants Savings Bank

(Mortgagee) is the holder of a certain *(b)* Real Estate Mortgage

(Security Instrument) recorded in Book No. *(c)* 2015 Page *(d)* 1382,

of the *(e)* Recorder's Records of *(f)* Delaware

County; *(g)* _____.

2. **WHEREAS** Ryan James Gibbs

(Mortgagor) is the owner of certain real estate described in the above listed security instrument; and

3. **WHEREAS**, Mortgagor has applied to the United States of America, United States Department of Agriculture, acting through the Farm Service Agency (Government), for a loan to be secured by a mortgage, deed of trust, or other security instrument that will be subject to the Security Instrument held by or the benefit of Mortgagee;

4. **THEREFORE**, in consideration of the making of the loan by the Government, Mortgagee, for Mortgagee's self, heirs, executors, administrators, successors, and assigns does hereby agree:

*(a)* That, if not required under State law, foreclosure proceedings will not begin unless the Government is provided prior written notice by certified mail not later than the date the notice to cure is provided to the borrower. This notice will be sent to the following address:

Farm Service Agency
200 South 12th St.
Manchester, IA 52057

*(b)* That the Government may, at its option cure any monetary default by paying the amount of the Mortgagor's delinquent payments to the Mortgagee, or pay the obligation in full and the Mortgagee will assign the lien to the Government including any provisions for borrower rights.

*(c)* That to the extent the Security Instrument secures future advances, which have priority over the Government's security instrument, no advances for purposes other than taxes, insurance or payment on other prior liens will be made under any future advance feature of the Mortgagee's Security Instrument without the written consent of the Government; and

*(d)* That this agreement includes consent to the Government for making loans and taking the related mortgage notwithstanding any provision of the Mortgage which prohibits a loan or mortgage without the Mortgagee's consent.

5. **IN WITNESS WHEREOF,** Mortgagee has executed this Agreement by signing on the *(a)* 1st day of *(b)* June, *(c)* 2015.

BY *(d)* Scott R. Wilson

Scott R. Wilson

TITLE *(e)* Assistant Vice President

**6. ACKNOWLEDGMENT**

State of Iowa }
County of Delaware } ss.

On this 1st day of June, 2015 before me personally appeared Scott R. Wilson to be known to me to be the same person(s) whose name is subscribed to the foregoing instrument, and acknowledged that (he or she) signed and delivered the instrument as (his or her) free and voluntary act, for the uses and purposes set forth.

My commission expires:

02-28-2017

Katie A. Hubbard
Notary Public

KATIE A. HUBBARD
Commission Number 766866
My Comm. Exp. 02-28-2017

**NOTE:** *The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a - as amended). The authority for requesting the information identified on this form is the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1921 et. seq.). The information will be used to determine eligibility and feasibility for loans and loan guarantees, and servicing of loans and loan guarantees. The information collected on this form may be disclosed to other Federal, State, and local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in the applicable Routine Uses identified in the System of Records Notice for USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information may result in a denial for loans and loan guarantees, and servicing of loans and loan guarantees. The provisions of criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.*

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