Recorded: 12/8/2015 at 8:15:21.0 AM
Fee Amount: $22.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2015 PG: 3296

FOR RECORDER'S USE ONLY

Prepared By: Kim Messinger, Hills Bank and Trust Company, 131 Main Street, PO Box 160, Hills, IA 52235, (800) 445-5725

ADDRESS TAX STATEMENT:
Hills Bank and Trust Company, Attn: Note Dept., 131 Main Street; PO Box 160, Hills, IA 52235-0160

RECORDATION REQUESTED BY:
Hills Bank and Trust Company, Cedar Rapids Downtown, 131 Main Street, PO Box 160, Hills, IA 52235

WHEN RECORDED MAIL TO:
Hills Bank and Trust Company, Attn: Post-Closing Dept., 131 Main Street; PO Box 160, Hills, IA 52235-0160

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 parcel identification number 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 December 4, 2015, is made and executed between Brian L Vanous and Anita Vanous; as husband and wife (referred to below as "Grantor") and Hills Bank and Trust Company, whose address is 131 Main Street, PO Box 160, Hills, IA 52235 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated October 8, 2007 (the "Mortgage") which has been recorded in Delaware County, State of Iowa, as follows:

Recorded on 10/29/2007 in Book 2007, at Page 3503.

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

That part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township Eighty-seven (87) North, Range Six (6) West of the Fifth P.M., described as commencing at a point one hundred (100) feet West of the Southeast corner of said Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4), running thence West One Hundred (100) feet, thence North one hundred forty-five (145) feet, thence East two Hundred (200) feet, thence South seventy (70) feet, thence West one hundred (100) feet, thence South Seventy-five (75) feet to the point of beginning.

The Real Property or its address is commonly known as 718 Iowa St, Ryan, IA 52330. The Real Property tax identification number is 690-00-02-093-00. The Real Property parcel identification number is 690-00-02-093-00.

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

Said Mortgage is modified to increase the Open-End Feature to said mortgage from $76,000.00 to $121,000.00.

Additionally, the open-end feature of said mortgage is hereby modified to read as follows:

NOTICE: THIS MORTGAGE SECURES CREDIT IN THE AMOUNT OF $121,000.00. LOANS AND ADVANCES UP TO THIS AMOUNT, TOGETHER WITH INTEREST, ARE SENIOR TO INDEBTEDNESS TO OTHER CREDITORS UNDER SUBSEQUENTLY RECORDED OR FILED MORTGAGES AND LIENS.

In addition, provision 1(d) of said Mortgage is also modified to replace $76,000.00 with $121,000.00 in that section.

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.

NOTICE OF WAIVER OF HOMESTEAD EXEMPTION. An exhibit, titled "NOTICE OF WAIVER OF HOMESTEAD EXEMPTION," is attached to this Modification and by this reference is made a part of this Modification just as if all the provisions, terms and conditions of the Exhibit had been fully set forth in this Modification.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED DECEMBER 4, 2015.

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

GRANTOR:

X _____
Brian L Vanous

X _____
Anita Vanous

LENDER:

HILLS BANK AND TRUST COMPANY

X _____
TJ Filip, Commercial Banking Officer

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Linn)

This record was acknowledged before me on December 4, 2015 by Brian L Vanous, as husband.

THOMAS J. FILIP
Commission Number 780511
My Commission Expires
9-26-16

Notary Public in and for the State of IA
My commission expires 9-26-16

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Linn)

This record was acknowledged before me on December 4, 2015 by Anita Vanous, as wife.

THOMAS J. FILIP
Commission Number 780511
My Commission Expires
9-26-16

Notary Public in and for the State of IA
My commission expires 9-26-16

LENDER ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Linn)

This record was acknowledged before me on december 4, 2015 by TJ Filip as Commercial Banking Officer of Hills Bank and Trust Company.

CARLY HENDERSON
Commission Number 793141
My Commission Expires

Notary Public in and for the State of IA
My commission expires 11/10/18

NOTICE OF WAIVER OF HOMESTEAD EXEMPTION

This NOTICE OF WAIVER OF HOMESTEAD EXEMPTION is attached to and by this reference is made a part of the Modification of Mortgage, dated December 4, 2015, and executed in connection with a loan or other financial accommodations between HILLS BANK AND TRUST COMPANY and Brian L Vanous and Anita Vanous.

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

THIS NOTICE OF WAIVER OF HOMESTEAD EXEMPTION IS EXECUTED ON DECEMBER 4, 2015.

GRANTOR:

X _____
Brian L Vanous

X Anita Vanous
Anita Vanous

LENDER:

HILLS BANK AND TRUST COMPANY

X _____
TJ Filip, Commercial Banking Officer

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