Book 2016 Page 992

Document 2016 992 Type 05 002 Pages 4
Date 4/22/2016 Time 9:02:55AM
Rec Amt $22.00 Aud Amt $5.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 25th day
of April AD 2016
Carla K. Becker, Auditor
By R. Hildebrand, Deputy

RECORDER"S COVER SHEET
Recorder's Cover Sheet

Preparer Information: HUGO C. BURDT, 2024 COLDSTREAM AVENUE NE, CEDAR RAPIDS, IA 52402, Phone: (319) 862-0353

Taxpayer Information: MISS DAISY, INC
26201 212TH AVE
DELHI, IA 52223

ENV (X) **Return Address:**
MISS DAISY, INC
26201 212TH AVE
DELHI, IA 52223

Grantors: Tracy And Linda Klein and Randy And Janet Allen
Grantees: Miss Daisy, Inc
Legal Description: See Page 2

Document or instrument number if applicable:

ASSIGNMENT AND ASSUMPTION OF REAL ESTATE
REAL ESTATE CONTRACT AND AMENDMENT AGREEMENT
("AGREEMENT")

For value received, Tracy A. Klein and Linda R. Klein ("Assignors") do hereby assign and transfer to Miss Daisy, Inc., an Iowa Corporation, ("Assignee") its successors, and assigns all of its rights, obligations, title, and interests in, to, and under that certain REAL ESTATE CONTRACT dated the 14th day of February, 2007 by and between Randy E. Allen and Janet M. Allen, ("Vendors") and Tracy A. Klein and Linda R. Klein, Vendees, recorded in the records of the Delaware County Recorder in Book 2007, Page 456, to the following described Real Estate situated in , Delaware County, Iowa to wit:

312 Franklin Street Delhi, Iowa legally described as:

The East twenty eight (28) feet of the West forty (40) feet of Lot Ten (10), Block Four (4). Delhi, Iowa, according to plat recorded in Book A, L.D., Page 128. ("the Contract") pursuant to the following terms and conditions, to wit:

1. Amendment of the Contract.

Assignors, Assignee and Vendors all agree that the Contract shall be amended as follows:

The balance of the unpaid amount of the Contract as of the date hereof shall be $54,406.77. The terms of payment of the stated balance shall be interest only at the rate of 9% and Assignee shall one month after the date hereof, pay $408.05 and $408.05 on the monthly anniversary date each and every month thereafter until 60 months after the date hereof at which time all amounts due under the Contract shall be paid in full, provided, however, Assignee shall have the right to prepay any and all amounts due under the Contract and in such event, the monthly interest only payment under the Contract shall be adjusted ratably. All Contract terms inconsistent with the foregoing are deemed null and void.

2. Assignment.

Assignee agrees to assume and faithfully perform and discharge all the terms, conditions, and obligations of Assignor under the Contract from and after the dates of conditions as provided herein, and agrees to defend, indemnify, and hold Assignors harmless from any liability and claims under the Lease from and after the dates of conditions as provided herein. Assignors warrants that it has fully performed and will perform all of its obligations under the Contract at all times up to the date of this Agreement and after through the dates of responsibility as provided herein, that there is no existing default under the Contract, and that the Contract is in full force and effect on and as of the date of this Agreement. Assignors agree to defend, indemnify, and hold Assignee harmless from any liability and claims under the Lease for the period to the date of this Agreement or otherwise to the dates provided herein resulting from a breach of this warranty.

3. Vendors agreement.

Vendors hereby consent and agree to the foregoing amendment to the Contract and the assignment of the Contract.

IN WITNESS WHEREOF, Assignors, Assignee and Vendors have each duly executed this Agreement as of this 1 day of April, 2014.

Tracy A. Klein
ASSIGNOR

Linda R. Klein
ASSIGNOR

STATE OF IOWA, COUNTY OF Linn

This record was acknowledged before me this 1 **day of** April **, 2014 by Tracy A. Klein and Linda R. Klein.**

Signature of Notary Public

KRISTINE A. HALL
Commission Number 764266
My Commission Expires
8-18-15

Miss Daisy, Inc.

by
Gregory C. Bulicek, President
ASSIGNEE

STATE OF IOWA, COUNTY OF Delaware

This record was acknowledged before me this 22 day of April, 2014, by Gregory C. Bulicek, President of Miss Daisy, Inc., an Iowa Corporation, on behalf of the Corporation.

2016

MICHELE R. AFRICA
Commission Number 742822
My Commission Expires
9-14-18

Michele R. Africa
Signature of Notary Public

CONSENT OF VENDORS: Vendors acknowledge herein that they has read the foregoing Agreement and hereby consent and agree to the assignment of the Contract and amendment of the Contract under the foregoing terms and conditions of the Agreement and further acknowledge the Contract as of the date hereof in fully in force without any default.

Randy E. Allen
VENDOR

Janet M. Allen
VENDOR

STATE OF IOWA. COUNTY OF Delaware

This Record was acknowledged before me this 05 day of March, 2016, 2014, by Randy E. Allen and Janet M. Allen.

Signature of Notary Public

LARRY R. HILLERS
Commission Number 004624
My Commission Expires
April 07, 2017