Hanson Law

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2019 2513 Type 06 010 Pages 2
Date 9/13/2019 Time 2:23:23PM
Rec Amt $12.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By:

Shelly Frieden	500 Gunder Road NE, Suite A, Elkader, IA 52043	563-245-1713
(Name)	(Address)	(Telephone No.)

Return To:

Clayton County FSA	500 Gunder Road NE, Suite A, Elkader, IA 52043	563-245-1713
(Name)	(Address)	(Telephone No.)

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Form Approved – OMB No. 0560-0237
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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, 101 East Main Street, PO Box 588 Manchester, IA 52057 (Mortgagee) is the holder of a certain *(b)* _____ (Security Instrument) recorded in Book No. *(c)* 2019 Page *(d)* 2511, of the *(e)* County Recorder's Records of *(f)* ~~Clayton~~ Delaware County; *(g)* Iowa.

2. **WHEREAS** Mitchel Thomas Klosterman, Individual (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:

Clayton County FSA
500 Gunder Road NE, Suite A
Elkader, IA 52043

(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)* 9th day of *(b)* September, *(c)* 2019.

BY *(d)* Scott R Wilson

TITLE *(e)* Vice President

6. ACKNOWLEDGMENT

STATE OF IOWA
COUNTY OF CLAYTON

On this 9th day of September, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Scott R Wilson, to me personally known, who, being by me duly sworn, did say that she/he is the Vice President of said corporation executing the within and foregoing instrument to which this is attached, that no seal has been procured by the said corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that said Scott R Wilson as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him/her voluntarily executed.

NOTARIAL SEAL IOWA
Rosemary Drees
COMMISSION NUMBER 144070
My Commission Expires
7/30/2020

Rosemary Drees
NOTARY PUBLIC

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