Recorded: 10/31/2019 at 1:42:18.0 PM
County Recording Fee: $27.00
Iowa E-Filing Fee: $3.00
Combined Fee: $30.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2019 PG: 3067

FOR RECORDER'S USE ONLY

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

ADDRESS TAX STATEMENT:
Denny Lee Burke Revocable Trust dated October 29, 2016; 9700 Blairs Ferry Rd ; Cedar Rapids, IA 52402

RECORDATION REQUESTED BY:
Hills Bank and Trust Company, Cedar Rapids Southwest, 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 2 of this Modification. The legal description can be found on page 1 of this Modification. The parcel identification number can be found on page 2 of this Modification. The related document or instrument number can be found on page 1 of this Modification.

THIS MODIFICATION OF MORTGAGE dated October 16, 2019, is made and executed between Denny L Burke, not personally but as Trustee on behalf of Denny Lee Burke Revocable Trust dated October 29, 2016 (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 20, 2010 (the "Mortgage") which has been recorded in Delaware County, State of Iowa, as follows:

Recorded on 10/27/2010 in Delaware County Book 2010, at Page 3332.

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

605 E Main St, Manchester, IA
Units 605-1, 605-2, 605-3, 605-4, 605-5, 605-6, 605-7, 605-8, 605-9, 605-10, 605-11, 605-12, 605-13, 605-14, 605-15 and 605-16 together with an undivided percentage interest in and to the common areas and facilities appurtenant thereto, all as appears of record and on land described in the Declaration of Submission of Property To Horizontal Property Regime dated November 22, 2005 and filed of record December 28, 2005, in Book 2005, Page 4531, Records of Delaware County, located on land known as Lots One Hundred Sixty Seven (167) and One Hundred Seventy Six (176) and the vacated alley between said Lots, and that part of vacated Delaware Street lying West of the East line of Lot One Hundred Seventy Six (176) extended and East of the West line of Potter Street, and the East One-half (E 1/2) of that part of vacated Potter Street lying South of the South line of Main Street and North of the North line of Delaware Street, and that part of Potter Street lying West of Lot Two Hundred Eighteen (218), all in the City of Manchester, Iowa, according to plat recorded in Book I L.D., Page 284;

110 Mc Carren Drive, Manchester, IA
Units 110-1, 110-2, 110-3, 110-4, 110-5, 110-6, 110-7, 110-8, East Gate Condominiums, according to the Declaration of Submission To Horizontal Property Regime dated 12/22/2005, recorded 12/28/2005, in Book 2005, Page 4530, records of Delaware County, located on land known as Parcel H, part of the SW 1/4 SE 1/4, Sec. 28 T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa, according to plat recorded in Book 2003, Page 2290, and

amended plat recorded in Book 2003, Page 2497; and

114 Mc Carren Drive, Manchester, IA
Units 114-9, 114-10, 114-11, 114-12, 114-13, 114-14, 114-15, 114-16, East Gate Condominiums, according to the Declaration of Submission To Horizontal Property Regime dated 12/22/2005, recorded 12/28/2005, in Book 2005, Page 4530, records of Delaware County, located on land known as Parcel H, part of the SW 1/4 SE 1/4, Sec. 28 T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa, according to plat recorded in Book 2003, Page, 2290, and amended plat recorded in Book 2003, Page 2497

The Real Property or its address is commonly known as 605 E Main, 110 Mc Carren Drive, 114 Mc Carren Drive, Manchester, IA 52057. The Real Property tax identification number is 631322100420, 631322100430, 631322100440, 631322100450,631322100460, 631322100470,631322100480, 631322100490, 631322100510, 631322100520, 631322100530, 631322100540, 631322100550, 631322100560, 631322100570, 631322100580, 631283407800, 631283407900, 631283408000, 631283408100, 631283408200, 631283408300, 631283408400, 631283408500, 631283408600, 631283408700, 631283408800, 631283408900, 631283409000, 631283409100, 631283409200, 631283409300. The Real Property parcel identification number is 631322100420, 631322100430, 631322100440, 631322100450,631322100460, 631322100470,631322100480, 631322100490, 631322100510, 631322100520, 631322100530, 631322100540, 631322100550, 631322100560, 631322100570, 631322100580, 631283407800, 631283407900, 631283408000, 631283408100, 631283408200, 631283408300, 631283408400, 631283408500, 631283408600, 631283408700, 631283408800, 631283408900, 631283409000, 631283409100, 631283409200, 631283409300.

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

Maturity Date as set forth in said mortgage is hereby modified from 10/20/2035 to 10/16/2044; and

Said Mortgage is modified to increase the Open-End Feature to said mortgage from $1,200,000.00 to $1,204,000.00.

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

NOTICE: THIS MORTGAGE SECURES CREDIT IN THE AMOUNT OF $1,204,000.00. 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.

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 OCTOBER 16, 2019.

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

GRANTOR:

DENNY LEE BURKE REVOCABLE TRUST DATED OCTOBER 29, 2016

By: _____
Denny L. Burke, Trustee of Denny Lee Burke Revocable Trust dated October 29, 2016

LENDER:

HILLS BANK AND TRUST COMPANY

X _____
Amy K. Miller, VP, Commercial Banking

TRUST ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Linn)

NOTARIAL SEAL IOWA
AMY K. MILLER
Commission Number 737602
My Commission Expires 11/14/20

This record was acknowledged before me on October 16, 2019 by Denny L. Burke, Trustee of Denny Lee Burke Revocable Trust dated October 29, 2016.

_____
Notary Public in and for the State of Iowa
My commission expires 11/14/20

LENDER ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Linn)

HOLLY LOESCHE
Commission Number 730608
My Commission Expires
9.21.22

This record was acknowledged before me on Oct. 16, 2019 by **Amy K. Miller** as **VP, Commercial Banking** of **Hills Bank and Trust Company**.

Holly Loesche.
Notary Public in and for the State of IA.
My commission expires 9.21.22

LaserPro, Ver. 18.3.11.003 Copr. Finastra USA Corporation 1997, 2019. All Rights Reserved. - IA
C:\LASERPRO\HARLAND\CFI\LPL\G201.FC TR-91434 PR-48

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 October 16, 2019, and executed in connection with a loan or other financial accommodations between HILLS BANK AND TRUST COMPANY and Denny L Burke.

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 OCTOBER 16, 2019.

GRANTOR:

DENNY LEE BURKE REVOCABLE TRUST DATED OCTOBER 29, 2016

By: _____
Denny L Burke, Trustee of Denny Lee Burke Revocable Trust dated October 29, 2016

LENDER:

HILLS BANK AND TRUST COMPANY

X _____
Amy K. Miller, VP, Commercial Banking

LaserPro, Ver. 18.3.11.003 Copr. Finastra USA Corporation 1997, 2019. All Rights Reserved. - IA C:\LASERPRO\HARLAND\CFI\LPL\G201.FC TR-91434 PR-48