c/o Kurt Law Office
P.O. Box 750
Cascade IA 52033

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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By:

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Return To:

Farm Service Agency	210 Bierman Road Epworth, IA 52045	563-876-3328
(Name)	(Address)	(Telephone No.)

This form is available electronically.

Form Approved – OMB No. 0560-0237

(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
111 E 1st St, Monticello, IA 52310
(Mortgagee) is the holder of a certain *(b)* Real Estate Mortgage
(Security Instrument) recorded in Book No. *(c)* 2020 Page *(d)* 4541,
of the *(e)* County Recorder's Records of *(f)* Delaware
County; *(g)* Iowa.

2. **WHEREAS** Thomas Nicholas and Andrea Marie Welter
3341 Goose Hill Rd., Hopkinton, IA 52237
(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:
Dubuque County Farm Service Agency
210 Bierman Road
Epworth, IA 52045

(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)* 9 day of *(b)* November , *(c)* 2020 .

BY *(d)* _____

Keith A. Kramer

TITLE *(e)* Executive Vice President, Farmers & Merchants Savings Bank

6. ACKNOWLEDGMENT

STATE OF IOWA }
COUNTY OF DUBUQUE }

On this 9 day of November, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Keith A. Kramer, to me personally known, who, being by me duly sworn, did say that she/he is the Executive 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 Keith A. Kramer, E.V.P. 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
CODY LEE NABER
Commission Number 822803
My Commission Expires
12/19/22

_____
NOTARY PUBLIC

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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