Madison County State Bank

to

Continental Construction Corp.

#2441

Fee $.60

Filed for record the 22 day of October A. D. 1930 at 11:06 O'clock A. M.

Mildred E. Knott, Recorder.

WAIVER OF PRIORITY OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, the owner and holder of a certain mortgage, or mortgages, now of record covering the land described as:

The Northwest Quarter of Section Fifteen, excepting therefrom a tract of land 27 rods North and South by 28 rods East and West out of the Southeast corner of said Northwest Quarter; also, a tract of land described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section Fifteen, and running thence East to Clanton Creek, thence in a Southwesterly direction following the meanderings of said creek to where it crosses the West line of the Northwest Quarter of the Northeast Quarter, thence North to the place of beginning; all in Township Seventy-four North, of Range Twenty-seven West of the 5th P. M.,

ACME-BLACKMAR CO. BURLINGTON 70146

in Madison County, State of Iowa, for and in consideration of One Dollar to said undersigned in hand paid by Continental Construction Corporation, a corporation of.....Receipt whereof is hereby acknowledged, does hereby waive the priority of said mortgage, or mortgages, in favor of certain pipe line right of way grant, or grants, heretofore or on this day made to Continental Construction Corporation, granting to said corporation the right to build and maintain a pipe line across said land; and the undersigned agrees that said grant, or grants, shall be prior to the said mortgage, or mortgages, held and owned by the undersigned the same as if said grant, or grants, were prior to the said mortgage, or mortgages, in date and in time of filing for recordation; otherwise said mortgage,or mortgages, shall be and remain unaffected by this instrument.

IN WITNESS WHEREOF, The undersigned Madison County State Bank, a corporation, has caused this instrument to be executed, pursuant to a resolution of its Board of Directors, by E. E. McCall its President, and its corporate seal to be hereunto affixed, attested by Nels Bertholf, its Cashier, this 3rd day of October, 1930.

MADISON COUNTY STATE BANK,

(CORPORATE SEAL) By E. E. McCall Its President

Attest: Nels Bertholf Cashier.

ACKNOWLEDGMENT FOR CORPORATION --IOWA

STATE OF IOWA }
Madison County } SS.

On this 3rd day of October, A. D., 1930, before me, Will H. Henry, a Notary Public in and for Madison county, Iowa, personally appeared E. E. McCall, to me personally known, who, being by me duly sworn did say that he is the President of said Madison County State Bank, that the seal affixed to said instrument is the seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors, and said E. E. McCall acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

In witness whereof I have hereunto set my hand and official seal, the day and year last above written.

NOTARIAL SEAL

Will H. Henry

My commission expires July 4, 1933. Notary Public, in and for Madison County, Iowa.