American Commercial & Sav. Bank

To

Continental Const.Co.

#364

Fee $.60 ✓

Filed for record the 17 day of Feb A. D. 1931 at 5:00 o'clock P. M.

Mildred E. Knott Recorder

WAIVER OF PRIORITY OF MORTGAGE

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

North-West Quarter of the North-east Quarter of Section 29, Township 74 North, Range 29 West.

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 Delaware 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 rignt 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 unersigned 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 American Commercial and Savings Bank of Davenport, Iowa , a corporation, has caused this instrument to be executed, pursuant to a resolution of its Board of Directors, by H. P. Oetzmann, its Vice President, and its corporate seal to be hereunto affixed, attested by Louis G. Bein its Cashier this 4th day of February, 1931.

(CORPORATE SEAL)

Attest:

Louis G. Bein Cashier

AMERICAN COMMERCIAL AND SAVINGS BANK OF DAVENPORT, IOWA

H. P. Oetzmann Its Vice President

STATE OF IOWA )
)SS. ACKNOWLEDGMENT FOR CORPORATION-IOWA
Scott COUNTY )

On this 4th day of February, A. D., 1931, before me, a Notary Public in and for said county, personally appeared H. P. Oetzmann, to me personally known, who, being by me duly sworn did say that he is the Vice President of said American Commercial and Savings Bank of Davenport, Iowa, 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 H. P. Oetzmann 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.

My commission expires July 4, 1933 James J. Lamb Notary Public.

NOTARIAL SEAL