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BOOK 63 PAGE 753

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MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

Preparer: Davis Law Firm, 666 Walnut Street, Suite 2500, Des Moines, IA 50309, (515) 288-2500

SPACE ABOVE THIS LINE  
FOR RECORDER

### MODIFICATION OF REAL ESTATE CONTRACT

WHEREAS, the undersigned Buyer and Sellers have previously entered into a Real Estate Contract regarding the following described real estate, to wit:

Parcel "H" located in that part of a tract of land described in Court Officer Deed recorded in Book 62, Page 206, Madison County, Iowa, Recorder's Office, located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-four (24), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., City of St. Charles, Madison County, Iowa, containing 5.00 acres, as shown in Plat of Survey filed in Book 3, Page 523 on December 17, 1999 in the Office of the Recorder of Madison County, Iowa

AND WHEREAS, the undersigned Buyer wishes to sell a portion of said real estate it is buying on contract from the undersigned Sellers,

AND WHEREAS, the undersigned Buyer has had the property surveyed and the real estate that is being sold is described as follows:

Parcel "M" located in that part of Parcel H, recorded in Book 3, Pages 523 and 524, Madison County, Iowa Recorder's Office and located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-four (24), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., City of St. Charles, Madison County, Iowa, containing 0.5135 acres, as shown in Plat of Survey filed in Book 2, Page 438 on March 9, 2000, in the Office of the Recorder of Madison County, Iowa



Subject to an access easement for ingress and egress over and across the west 20 feet of the south 230.67 feet of the above described Parcel M and as shown on Page 1 of the Plat of Survey for said Parcel M

AND WHEREAS, the parties agree to modify said contract,

IT IS AGREED AS FOLLOWS:

The undersigned do hereby agree that the Real Estate Contract - Installments, dated December 29, 1999, filed December 30, 1999 in Deed Record 63, Page 651 office of the Recorder of Madison County, Iowa, be modified as follows:

1. Sellers shall provide a warranty deed, for the property described as Parcel "M", as partial fulfillment of said real estate contract to the Buyer in exchange for payment of all proceeds associated with said sale.

2. The remaining balance of the contract shall be \$18,515<sup>01</sup>. The interest rate shall remain at 8.0% per annum and payments on this balance shall be \$135<sup>81</sup> due and payable on or before April 15, 2000, and each and every month thereafter until the entire unpaid balance, including principal and accrued interest is paid in full.

3. In the event that Buyer fails to make timely payments or fulfill its obligations under the contract, then Sellers, in order to recover their expenses and/or losses, may, at their option, place a lien on other real estate owned by the Buyer located in Warren County by having this Modification Agreement recorded in said county.

All other provisions contained in said contract shall remain in full force and effect.

Dated this 15<sup>th</sup> day of March, 2000.

Sellers:

Buyer:

STREAMLINE PROPERTY RENOVATORS, LLC  
An Iowa Limited Liability Company

Gerald A. Hutchison  
Gerald A. Hutchison

By: Thomas E. Marlin  
Thomas E. Marlin - Member

Darcy A. Hutchison  
Darcy A. Hutchison

By: Ronald D. Marlin PPA  
Ronald D. Marlin, by and through Thomas E. Marlin, his attorney-in-fact - Member

Randall R. Coming  
Randall R. Coming

Karen E. Coming  
Karen E. Coming

STATE OF IOWA; COUNTY OF MADISON )ss.

On this 15 day of March, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Gerald A. Hutchison and Darcy A. Hutchison, to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

Patsy M. Hrus  
Notary Public in and for said County and State

STATE OF IOWA; COUNTY OF WARREN )ss.

On this 15 day of March, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Randall R. Coming and Karen E. Coming, to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

Patsy M. Hrus  
Notary Public in and for said County and State

STATE OF IOWA; COUNTY OF POLK )ss.

On this 16 day of March, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Thomas E. Marlin and Ronald D. Marlin, by and through Thomas E. Marlin, his attorney-in-fact, to me personally known, who, being by me duly sworn, did say that they are Members of said Streamline Property Renovators, L.L.C., an Iowa Limited Liability Company, and that said instrument was signed on behalf of said company by authority of its managers, and that the said Thomas E. Marlin and Ronald D. Marlin, by and through Thomas E. Marlin, his attorney-in-fact, acknowledged the execution of said instrument to be the voluntary act and deed of said company, by it and by them voluntarily executed.

Patsy M. Hrus  
Notary Public in and for said County and State