

COMPUTER ✓  
RECORDED ✓  
COMPARED \_\_\_\_\_

MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA

Prepared by and return to: (Name, Address and Phone No.) \_\_\_\_\_

WJ Carol Hatcher Polk County Bank PO Box 200 Johnston, IA 50131 515-278-6300

**PARTIAL RELEASE OF REAL ESTATE MORTGAGE**

The undersigned, the present owner(s) of the mortgage hereinafter described, for valuable consideration, do hereby acknowledge that the following described real estate situated in Madison County, Iowa, to wit:

SEE ATTACHMENT "A"

is hereby released from the lien of the real estate mortgage executed by M Newton Construction, Inc to Polk County Bank dated April 2, 2002 recorded in the record of the County of Madison State of Iowa, Book 2002 page 1571 specifically reserving and retaining the mortgage lien and all mortgage rights against all of the remaining property embraced in or subject to the mortgage above described.

Dated this 6th day of August, 2004, POLK COUNTY BANK



Tim J Rhoades EVP

Ryan D Wedemeyer AVP

CORPORATE

STATE OF Iowa Polk COUNTY, ss:

On this 6th day of August, A.D. 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tim J Rhoades & Ryan D Wedemeyer to me personally known, who being by me duly sworn, did say that they are the EVP and AVP respectively, of said corporation; that ~~no seal has been procured by the said~~ (the seal affixed thereto is the seal of said) corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Tim J Rhoades and Ryan D Wedemeyer as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.



Carol Hatcher Notary Public  
in and for Said State

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_ at \_\_\_\_\_ o'clock  
M., and recorded in Book \_\_\_\_\_ on page \_\_\_\_\_.

FEE, \$ \_\_\_\_\_ Paid \_\_\_\_\_  
WHEN RECORDED PLEASE RETURN TO:

NAME Polk County Bank	ADDRESS PO Box 200 Johnston, IA 50131
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Portion of Parcel "B" in Northeast Quarter of the Southeast Quarter of Section 4, Township 75 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa.

That portion of Parcel "B" located in the Northeast Quarter of the Southeast Quarter of Section 4 Township 75 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa shown on a Plat of Survey Filed in Book 3 Page 603 at the Madison County Recorder's Office more particularly described as follows:

Commencing at the East Quarter Corner of Section 4, Township 75 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa Thence South  $01^{\circ}14'33''$  West 46.49 feet along the East line of the Northeast Quarter of the Southeast Quarter of said Section 4 to the Point of Beginning; thence continuing South  $01^{\circ}14'33''$  West 588.30 feet along said East line; thence North  $24^{\circ}46'57''$  West 90.86 feet; thence North  $49^{\circ}20'01''$  West 129.18 feet; thence North  $54^{\circ}11'58''$  West 78.69 feet; thence South  $69^{\circ}31'16''$  West 224.02 feet to a point on the line of a purchased road right-of-way; thence North  $20^{\circ}34'03''$  West 167.67 feet along said R.O.W. line; thence Northwesterly 86.39 feet along said R.O.W. line which is a 627.96 foot radius curve, concave Southwesterly with a chord of North  $30^{\circ}16'47''$  West 86.32 feet; thence North  $51^{\circ}47'37''$  East 272.29 feet along said R.O.W. line; thence North  $85^{\circ}55'34''$  East 95.14 feet along said R.O.W. line; thence North  $89^{\circ}01'10''$  West 25.21 feet along said R.O.W. line; thence North  $3^{\circ}17'08''$  East 33.03 feet; thence North  $86^{\circ}43'03''$  East 239.79 feet to the Point of Beginning containing 4.153 acres including 0.190 acres of County Road right-of-way.