

FILED NO. \_\_\_\_\_

BOOK 2001 PAGE 2323

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MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWAREC \$ 15<sup>00</sup>  
AUD \$ \_\_\_\_\_  
R.M.F. \$ 1<sup>00</sup>COMPUTER   
RECORDED   
COMPARED \_\_\_\_\_

PREPARER

INFORMATION JOHN E. CASPER 223 EAST COURT AVE., WINTERSET, IA 50273 (515) 462-4912

MORTGAGE ASSUMPTION AGREEMENT

**WHEREAS**, Jeffery E. Bush and Darla A. Bush, hereafter the *Assignors*, own the real estate legally described as:

A tract of land commencing at a point 30 feet West of the Northwest corner of Block One (1) of Hull's Addition to the Town of Truro, Madison County, Iowa, which point is 42 rods and 7 feet South and 27 rods and 13½ feet West of the Northeast Corner of the Southeast Quarter (¼) of Section Sixteen (16) in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., and running thence West parallel with the South line of said Section, 132 feet, thence South 160 feet, thence East parallel with said South line of said Section, 132 feet, thence North 160 feet to the point of beginning,

**WHEREAS**, the *Assignors* have borrowed purchase money funds from the Union State Bank, hereafter the *Lender*, under a Promissory Note, dated July 12, 2000, to purchase this real estate and to secure this obligation made a real estate mortgage on the above described real estate in favor of the *Lender*, which mortgage is a first mortgage lien upon this real estate and is dated July 12, 2000, and filed for record on July 13, 2000, in the Madison County Recorder's Office in Mortgage Record Book 219 at Page 148;

**WHEREAS**, the *Assignors* desire to sell, assign and convey their right, title and interest in and to the above described real estate to Thomas M. Egli and Patricia A. Egli, hereafter the *Assignees*, and to have the *Assignees* assume the obligations under the Promissory Note held by the Lender and secured by the above referenced mortgage.;

**WHEREAS**, the *Assignees* acknowledged having received copies of the Promissory Note and the Real Estate Mortgage described above;

**WHEREAS**, the *Assignees* desire to own the above described real estate and to assume any and all obligations under the Promissory Note and Mortgage held by *Lender* described in this Agreement.

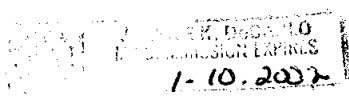
**NOW, THEREFORE, IT IS AGREED** among the undersigned parties as follows:

1. The *Assignors* agree to sell, assign and convey by Warranty Deed to *Assignees* their right, title and interest in and to the above described real estate
2. The *Assignors* shall provide *Assignees* with an abstract of title to the above premises continued through the date of this Agreement showing marketable title to the real estate in accordance with the Title Standards of the Iowa Bar Association other than the *Lender's* mortgage described above.
3. The *Assignors* shall be responsible for any transfer tax and abstracting costs associated with this title transfer.



STATE OF IOWA :  
: ss  
COUNTY OF MADISON :

On this 27<sup>th</sup> day of April, 2001, before me, the undersigned, a Notary Public in and for said state, personally appeared Thomas M. Egli and Patricia A. Egli to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Joene K. DeCarlo  
Notary Public in and for the State of Iowa

STATE OF IOWA :  
: ss  
COUNTY OF MADISON :

On this 27<sup>th</sup> day of April, 2001, before me, the undersigned, a Notary Public in and for said County and said State, personally appeared Duan Gordon to me personally known, who, being by me duly sworn, did say that he is the Officer US Bank of said corporation; 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 the said \_\_\_\_\_ as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Joene K. DeCarlo  
Notary Public in and for the State of Iowa

