



REC \$ 10⁰⁰
 AUD \$
 R.M.F. \$ 5⁰⁰

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 FILED NO. _____
 BOOK 2003 PAGE 5440
 2003 SEP 11 PM 12: 35

COMPUTER	✓
RECORDED	✓
COMPARED	✓

MICKI UTSLER
 RECORDER
 MADISON COUNTY, IOWA

Return to: Commercial Federal Bank - Attn: Andrea Hatch - 5947 Ashworth Road - West Des Moines, IA 50266 - Phone (515) 223-7730

MODIFICATION AGREEMENT

OPEN-END REAL ESTATE MORTGAGE AND PROMISSORY NOTE # 3681018

This agreement is made on this the 9th day of September, A.D. 2003, between Commercial Federal Bank (hereinafter referred to as "Lender") and Paul J. Koster and Julia R. Koster, Husband and Wife (hereinafter referred to as "Borrower").

WITNESSETH:

WHEREAS, the Borrower is now indebted to the Lender, as of the date of this agreement, the principal sum of **One Hundred Eighty-Four Thousand Dollars (\$184,000.00)**, evidenced by a Promissory Note dated **January 13, 2003**, payment of which is secured by a Construction Mortgage owned and held by Lender dated **January 13, 2003** and recorded in **Book 2003 at Page 233** on **January 15, 2003**, in the Office of the Recorder of **Madison County, Iowa** and,

WHEREAS, the parties mutually desire to modify the principal amount of said indebtedness and certain portions of said mortgage.

NOW THEREFORE, in consideration of the covenants hereinafter contained, it is mutually agreed as follows:

The Borrower and Lender mutually agree to increase the note and mortgage indebtedness to a new sum of: **Two Hundred Four Thousand Dollars (\$204,000.00)**.

NOTICE: THIS MORTGAGE SECURES CREDIT IN THE AMOUNT OF \$204,000.00, LOANS AND ADVANCES UP TO THIS AMOUNT, TOGETHER WITH INTEREST, ARE SENIOR TO INDEBTEDNESS TO OTHER CREDITORS UNDER SUBSEQUENTLY RECORDED OR FILED MORTGAGES AND LIENS.

It is further mutually agreed that said mortgage shall continue as a first lien upon the premises and that the obligation shall not in any way be prejudiced by this Agreement, but said obligation and mortgage and all the covenants and agreements thereof and the rights of the parties thereunder shall remain in full force and effect, except as herein expressly modified.

ORAL OR IMPLIED CHANGES TO THIS OR ANY OTHER CREDIT AGREEMENT(S) (EXCEPT CONSUMER LOANS OR OTHER EXEMPT TRANSACTIONS) WITH THIS LENDER ARE NOT ENFORCEABLE AND SHOULD NOT BE RELIED UPON.

IMPORTANT: READ BEFORE SIGNING. THE TERMS OF THIS AGREEMENT SHOULD BE READ CAREFULLY BECAUSE ONLY THOSE TERMS IN WRITING ARE ENFORCEABLE. NO OTHER TERMS OR ORAL PROMISES NOT CONTAINED IN THIS WRITTEN CONTRACT MAY BE LEGALLY ENFORCED. YOU MAY CHANGE THE TERMS OF THIS AGREEMENT ONLY BY ANOTHER WRITTEN AGREEMENT. THIS NOTICE ALSO APPLIES TO ANY OTHER CREDIT AGREEMENTS (EXCEPT CONSUMER LOANS OR OTHER EXEMPT TRANSACTIONS) NOW IN EFFECT BETWEEN YOU AND THIS LENDER.

IN WITNESS WHEREOF, the parties have signed, sealed, and delivered this Agreement on the date above written and hereby acknowledge receipt of a copy of this Agreement on today's date.

Accepted:

Commercial Federal Bank (Lender)

By: Paul J. Koster 09 Sept 03
 Paul J. Koster (Borrower) Date

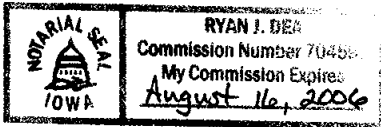
By: Ryan J. Dea 9/9/03
 Ryan J. Dea, Loan Officer Date

By: Julia R. Koster 09 Sept 03
 Julia R. Koster (Borrower) Date

STATE OF IOWA, POLK COUNTY, SS:

On this 9th day of September, A.D. 2003, before me, a Notary Public in and for said County and State, personally appeared **Paul J. Koster**, a married person, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Witness my hand and notarial seal the day and year last above written:

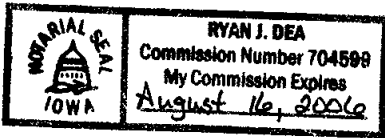


[Signature]
Notary Public in and for Said County, Iowa

STATE OF IOWA, POLK COUNTY, SS:

On this 9th day of September, A.D. 2003, before me, a Notary Public in and for said County and State, personally appeared **Julia R. Koster**, a married person, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Witness my hand and notarial seal the day and year last above written:



[Signature]
Notary Public in and for Said County, Iowa

STATE OF IOWA, POLK COUNTY, SS:

On this 9th day of September, A.D. 2003, before me, the signed, a Notary Public in and for Said County, Iowa, Personally appeared **Ryan J. Dea, Loan Officer of Commercial Federal Bank**, a Federal Savings Bank, and the foregoing instrument was signed on behalf of said corporation by authority of its Board of Directors, and the said **Ryan J. Dea, Loan Officer**, acknowledged the execution of said instrument to be the voluntary act and deed of said **Commercial Federal Bank**, a Federal Savings Bank, by it voluntarily done and executed.

Witness my hand and notarial seal the day and year last above written:

[Signature]
Notary Public in and for Said County, Iowa

