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LISA SMITH, COUNTY RECORDER MADISON COUNTY IOWA

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FOR RECORDER'S USE ONLY

Prepared By: Dawn Hill, Consumer Llending Assistant, Bankers Trust Company, 453 7th Street - P.O. Box 897, Des Moines, IA 50304-0897, (515) 245-2863

## RECORDATION REQUESTED BY:

Bankers Trust Company, 453 7th Street, P.O. Box 897, Des Moines, IA 50304-0897

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WHEN RECORDED MAIL TO:

Bankers Trust Company, Attn: Loan Documentation, P.O. Box 897, Des Moines, IA 50304-0897

## **MODIFICATION OF MORTGAGE**

The names of all Grantors (sometimes "Grantor") can be found on page 1 of this Modification. The names of all Grantees (sometimes "Lender") can be found on page 1 of this Modification. The property address can be found on page 1 of this Modification. The legal description can be found on page 1 of this Modification. The related document or instrument number can be found on page 1 of this Modification.

THIS MODIFICATION OF MORTGAGE dated November 12, 2010, is made and executed between Michael D. Shoemaker, husband, and Sherri L. Shoemaker, wife, f/k/a Sherri L. Thayer, whose address is 2908 187th St, Winterset, IA 50273 (referred to below as "Grantor") and Bankers Trust Company, whose address is 453 7th Street, P.O. Box 897, Des Moines, IA 50304-0897 (referred to below as "Lender").

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated November 2, 2005 (the "Mortgage") which has been recorded in Madison County, State of Iowa, as follows:

November 3, 2005 at 10:26 A.M. in the office of the Madison County Recorder, in Book 2005, Page 5330 .

**REAL PROPERTY DESCRIPTION.** The Mortgage covers the following described real property located in Madison County, State of Iowa:

Lots Two (2) and Three (3), Brumfield Rural Estates Sub-District, a subdivision of the Southwest Quarter (1/2) of the Southwest Quarter (1/2) of Section Seventeen (17), in Township Seventy-six (76) North, RangeTwenty-six (26) West of the 5th P.M., Madison County, Iowa.

The Real Property or its address is commonly known as 2908 187th St, Winterset, IA 50273.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

The maturity date is extended to November 2, 2020 .

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise

## MODIFICATION OF MORTGAGE (Continued)

Loan No: 49933-9002

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will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED NOVEMBER 12, 2010.

GRANTOR ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THIS MODIFICATION OF MORTGAGE AND ALL OTHER DOCUMENTS RELATING TO THIS DEBT.

This Notice is required by Iowa law. In this Notice the	e term "you" means the Grantor named above.
NOTICE TO CONSUMER: 1. Do not sign this paper before you read it. 2. You are entitled to a copy of this paper. 3. You may prepay the unpaid balance at any time without penalty and may be entitled to receive a refund of unearned charges in accordance with law.	
GRANTOR:	
X Michael D. Shoemaker	
X Sheer's L. Shoemaker	
LENDER:	
BANKERS TRUST COMPANY	
X Authorized Signer	
INDIVIDUAL ACKNOWLEDGMENT	
STATE OF FOWA	)
	) SS
COUNTY OF POLK	)
On this 12+10 day of November  Public in and for said County and State, personally  Shoemaker, to me known to be the persons named is acknowledged that they executed the same as their versions.	n and who executed the foregoing instrument and
KIMBERLY S. KELLEN Commission Number 710380 My Commission Expires 5-31-13	Kunbulen & Keller Notary Public in the State of Towa

## MODIFICATION OF MORTGAGE (Continued)

Loan No: 49933-9002 Page 3 LENDER ACKNOWLEDGMENT ) SS COUNTY OF \_\_\_\_POLK On this \_\_\_\_\_\_ day of \_\_\_\_\_\_ Overher\_\_\_\_, A.D., 20 \_\_\_\_\_\_, before me, the undersigned Notary Public in said County and State, personally appeared \_\_\_\_\_\_ Kim Kellen \_\_\_\_\_ and known to me to be the KelationShip Banker II \_\_\_\_\_, authorized agent for Bankers Trust Company that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Bankers Trust Company, duly authorized by Bankers Trust Company through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of Bankers Trust Company. Residing at <u>USS. E. Army PoSt Rd.</u> Xavanne Lon My commission expires 12-18-12Notary Public in and for the State of \_ **SAVANNY TUON** 

My Commission Expires

December 18, 2012

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Commission Number 761200