IND. ✓
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PAGE ✓

SUBORDINATION AGREEMENT

FILED NO. 2389
BOOK 131 PAGE 523
1979 JUN -6 PM 11:03
MARYE E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee 3.00

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, John L. Kirk and Mildred I. Kirk

have executed a mortgage on the following described premises:

W½ NW¼ (except therefrom a parcel of land described as beginning at the Northwest corner of said NW¼, thence South 75 feet, thence East 330.4 feet, thence North 5 feet, thence East 1003 feet, thence North 70 feet, thence West 1333.4feet to the place of beginning); and W½ SW¼ of Section 15, Township 74 North, Range 28 West of the 5th P.M.

In Madison County, Iowa, to Farmers & Merchants State Bank Winterset, Iowa 50273 which mortgage is recorded in Book 131 page 514, of the records of said County; and

WHEREAS, the said mortgagors have executed an assignment of real estate contract in favor of the Administrator of the Small Business Administration, an Agency of the Government of the United States of America (hereinafter referred to as SBA), which is recorded in Book 129, page 344*, of the records of Madison County, Iowa, and the SBA is the present owner thereof; and

WHEREAS, the SBA recognizes said mortgage to Farmers & Merchants State Bank Winterset, Iowa is a first and prior lien upon said premises, not to exceed $ 15,500.00 nor be increased without the prior written consent of SBA; (Total subordination from SBA not to exceed $50,000.00)

NOW, THEREFORE, in order to induce the Farmers & Merchants State Bank to rely upon this agreement and make a loan to the Mortgagor, and other good and valuable consideration, the receipt of which is hereby acknowledged, the SBA acknowledges the priority of said mortgage to Farmers & Merchants State Bank and specifically subordinates the SBA assignment of real estate contract to said mortgage to Farmers & Merchants State Bank.

The SBA, by the execution of this Subordination Agreement, does not release the lien of its assignment of real estate contract in any particular, but only subordinates and makes junior such lien to the mortgage of Farmers & Merchants State Bank Winterset, Iowa.

*and all corrections hereinafter.

Witness the hand and seal of the undersigned this 31st day of May, 19 79.

SMALL BUSINESS ADMINISTRATION

BY: James L. Lortz

TITLE: Disaster Branch Manager

STATE OF Iowa
SS
COUNTY OF Polk

On this 31st day of May, 19 79, before me, a Notary Public, appeared James L. Lortz, who being duly sworn, did say that he is an authorized official of the Small Business Administration, an agency of the United States Government, and that the foregoing instrument was signed by him on behalf of the Small Business Administration as the free act and deed of said Small Business Administration.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the date and year last above written.

Jeanette Coon
NOTARY PUBLIC

My Commission Expires: Sept. 30, 1980