



Doc ID: 023114130002 Type: GEN
Recorded: 12/18/2009 at 10:17:16 AM
Fee Amt: \$14.00 Page 1 of 2
Polk County Iowa
JULIE M. HAGGERTY RECORDER
File# 2010-00049437

File# 2010-00049437
BK 13310 PG 580-581

PARTIAL RELEASE OF MORTGAGE, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS: the indebtedness secured by a Mortgage, Security Agreement and an Assignment of Rents by and between Boston Commons Limited Liability Company, an Iowa Limited Liability Company, Trustor and Northwest Bank f/k/a Gateway Community Bank, a division of Northwest Federal Savings Bank as filed in the office of the Register of Mortgages of Polk County, Iowa. Recording date of November 6, 2001, as Instrument #043986* is subject to a Condemnation Action, and said Mortgagor has requested in writing that this Partial Release of Mortgage, Security Agreement and Assignment Rents be executed and delivered.

NOW THEREFORE, in consideration of such payment and in accordance with the request of the Mortgagor named therein, the undersigned as Mortgagee does by these presents, grant, remise, release and reconvey to the person or persons entitled thereto all the interest and estate devised to said Mortgagee by or through said Mortgage, Security Agreement and Assignment of Rents in the following described premises, but only as to such premises, as more particularly described in Exhibit A attached hereto, which consists of an Acquisition Plat prepared by Elmer L. Miller, Jr. dated March 25, 2009, and contains approximately 1634 square feet of land area.

TOGETHER WITH ALL buildings, fixtures, improvements, and appurtenances belonging to such premises.

*Book 9058 Page 722

~~NORTHWEST BANK f/k/a~~
~~GATEWAY COMMUNITY BANK~~

DATED: 11-10-2009

BY: [Signature]
Executive Vice-President

BY: Susan Scanlan
Vice-President

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on November 10, 2009, by Larry Marinovic, Executive Vice-President and Susan Scanlan, Vice-President of Northwest Bank f/k/a Gateway Community Bank, Trustee.

Joan Beacher
Notary Public

My Commission Expires: 10/31/2013

**PREPARED BY AND
RETURN TO:**
Northwest Bank
14320 Arbor Street
Omaha NE 68144
Tel: (402) 334-0300

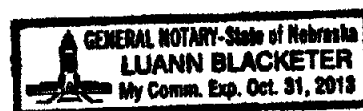
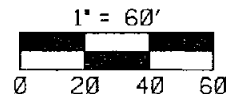
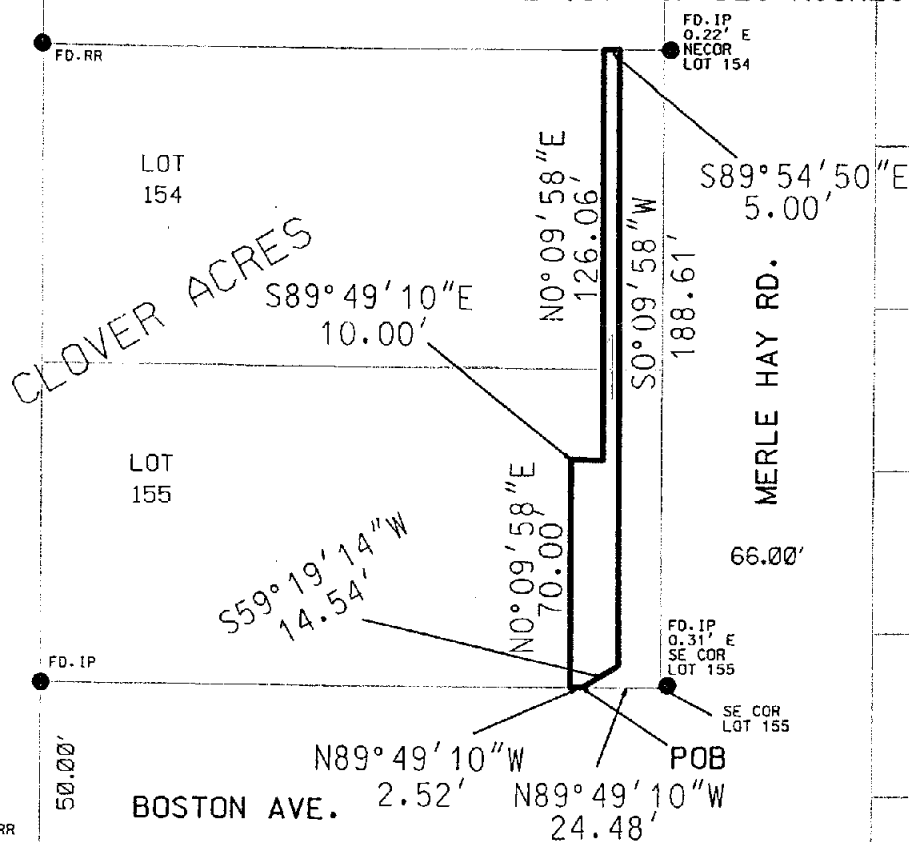


EXHIBIT "A"

ACQUISITION PLAT OF TEMPORARY EASEMENT BEING CONVEYED TO THE CITY OF DES MOINES



LEGEND

- MONUMENT FOUND. ALL CAPS YELLOW UNLESS OTHERWISE NOTED

ADDRESS: 3100 MERLE HAY ROAD
DES MOINES, IOWA

OWNER: BOSTON COMMONS LTD. CO. & TIRES PLUS GROUPE LTD

TAX PARCEL NO.: 100/02974-001-000

LEGAL DESCRIPTION: TEMPORARY EASEMENT FOR PROPERTY ADJUSTMENT

A PART OF LOTS 154 & 155, CLOVER ACRES, AN OFFICIAL PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE SOUTHEAST CORNER OF SAID LOT 155; THENCE NORTH 89°(DEGREES)49'(MINUTES)10"(SECONDS) WEST ALONG THE SOUTH LINE OF SAID LOT 155, A DISTANCE OF 24.48 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°49'10" WEST ALONG THE SOUTH LINE OF SAID LOT 155, A DISTANCE OF 2.52 FEET; THENCE NORTH 0°09'58" EAST, 70.00 FEET; THENCE SOUTH 89°49'10" EAST, 10.00 FEET; THENCE NORTH 0°09'58" EAST, 126.06 FEET; THENCE SOUTH 89°54'50" EAST ALONG THE NORTH LINE OF SAID LOT 154, A DISTANCE OF 5.00 FEET; THENCE SOUTH 0°09'58" WEST, 188.61 FEET; THENCE SOUTH 59°19'14" WEST, 14.54 FEET TO THE POINT OF BEGINNING. AS SURVEYED IN FIELD BY ELMER L. MILLER, JR. LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 1,634 SQUARE FEET.

MERLE HAY ROAD WIDENING AT URBANDALE AVE.

ACTIVITY ID 06-2008-006

3-4-09 SMI, TE-6.

R.O.W. 6-2-3



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Elmer L. Miller Jr. 3-25-09
ELMER L. MILLER JR., IOWA LICENSE NO. 13975, DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2010

DEPARTMENT OF ENGINEERING CITY OF DES MOINES, IOWA (515) 283-4931	
TE-6	
EXHIBIT	
Rev/By	