



Doc ID: 023095880004 Type: GEN  
 Kind: MORTGAGE MODIFICATION  
 Recorded: 09/23/2013 at 11:35:04 AM  
 Fee Amt: \$22.00 Page 1 of 4  
 Johnson County Iowa  
 Kim Painter County Recorder

BK **5162** PG **453-456**

3012

**FOR RECORDER'S USE ONLY**

Prepared By: Sue Adel, Loan Administrative Assistant, First Westroads Bank, Inc., 15750 West Dodge Road, Omaha, NE 68118, (402) 330-7200

**RECORDATION REQUESTED BY:**  
 First Westroads Bank, Inc.; 15750 West Dodge Road; Omaha, NE 68118

**WHEN RECORDED MAIL TO:**  
 First Westroads Bank, Inc.; 15750 West Dodge Road; Omaha, NE 68118

**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 parcel identification number 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 September 19, 2013, is made and executed between BJS Enterprises, L.C.; an Iowa Limited Liability Company (referred to below as "Grantor") and First Westroads Bank, Inc., whose address is 15750 West Dodge Road, Omaha, NE 68118 (referred to below as "Lender").**

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated January 21, 2004 (the "Mortgage") which has been recorded in Johnson County, State of Iowa, as follows:

**Recorded January 23, 2004, Johnson County Iowa Recorders Office, Document ID # 016012350007 Bk 3690 Page31-37.**

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

See exhibit "A"  
 1901 Lower Muscatine Road, Iowa City, IA 52240

The Real Property or its address is commonly known as 1901 Lower Muscatine Road, Iowa City, IA 52240. The Real Property parcel identification number is 10-23-105-001/10-23-105-002/10-23-105-003.

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

**Extend Maturity date from January 21, 2014 until Canceled in writing by First Westroads Bank..**

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

MODIFICATION OF MORTGAGE  
(Continued)

Loan No: 8267

Page 2

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 SEPTEMBER 19, 2013.

GRANTOR:

BJS ENTERPRISES, L.C.

By: Betty Jane Shaw  
Betty Jane Shaw, Member of BJS Enterprises, L.C.

LENDER:

FIRST WESTROADS BANK, INC.

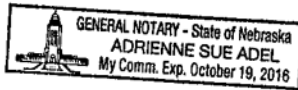
X [Signature]  
Authorized Signer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Nebraska )  
 ) SS  
COUNTY OF Douglas )

This record was acknowledged before me on September 19, 2013 by Betty Jane Shaw, Member of BJS Enterprises, L.C..

[Signature]  
Notary Public in and for the State of NE  
My commission expires \_\_\_\_\_



MODIFICATION OF MORTGAGE  
(Continued)

Loan No: 8267

Page 3

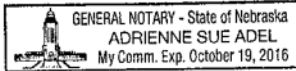
LENDER ACKNOWLEDGMENT

STATE OF Nebraska )  
 ) SS  
COUNTY OF Douglas )

This record was acknowledged before me on September 19, 2013 by Juc  
Jensen as SR VP of First Westroads Bank, Inc..

Adrienne Sue Adel  
Notary Public in and for the State of NE

My commission expires \_\_\_\_\_



# EXHIBIT "A"

## Legal Description

THE FOLLOWING DESCRIBED REAL ESTATE IN JOHNSON COUNTY, IOWA:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 23, T79N, R6W OF THE 5TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 3, BLOCK 1, FAIR MEADOWS ADDITION, FIRST UNIT TO IOWA CITY, JOHNSON COUNTY, IOWA; THENCE S46°53'00"W, 131.16 FEET ALONG THE NORTHWESTERLY SIDE OF SAID LOT 3; THENCE S 43°07'00"E, 100.00 FEET TO THE SOUTHEASTERLY SIDE OF SAID LOT 3; THENCE 46°53'00"W 71.44 FEET ALONG THE SOUTHEASTERLY SIDE OF SAID LOT 3 TO THE NORTHERLY R.O.W. LINE OF U.S. HIGHWAY 6 BYPASS; THENCE NORTHWESTERLY 198.12 FEET ALONG SAID NORTHERLY R.O.W. LINE AND A 30015 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, TO A POINT ON THE EASTERLY R.O.W. LINE OF 1ST AVE.; THENCE NORTHEASTERLY 300.70 FEET ALONG SAID EASTERLY R.O.W. LINE AND A 724 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, TO A POINT ON THE SOUTHWESTERLY R.O.W. LINE ON LOWER MUSCATINE ROAD; THENCE S43°07'00"E, 136.15 FEET ALONG SAID SOUTHWESTERLY R.O.W. LINE TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 42,190 SQ. FT. OR 0.967 ACRES MORE OR LESS.

LESS AND EXCEPT:

A TRACT OF LAND LOCATED IN LOTS 1 & 2, BLOCK 1, FAIR MEADOWS ADDITION FIRST UNIT TO IOWA CITY, JOHNSON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PI POINT SET ON THE CENTERLINE OF LOWER MUSCATINE ROAD AS RECORDED IN RIGHT-OF-WAY RETRACEMENT PLAT IN BOOK 54, PAGE 2 OF THE JOHNSON COUNTY RECORDER'S OFFICE, NEAR THE INTERSECTION OF 1ST AVENUE IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23;  
THENCE S 43°53'06" E, 181.50 FEET ALONG THE CENTERLINE ALIGNMENT OF SAID LOWER MUSCATINE ROAD;  
THENCE S 46°06'54" W, 33.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOWER MUSCATINE ROAD AND TO THE POINT OF BEGINNING;  
THENCE N 49°35'45" W, 33.61 FEET;  
THENCE N 88°11'52" W, 26.71 FEET;  
THENCE N 43°53'06" W, 26.21 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 1ST AVENUE;  
THENCE 22.00 FEET NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG THE ARC OF A 724.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, WHOSE 22.00 FOOT CHORD BEARS N 45°35'42" E TO A POINT AT THE INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOWER MUSCATINE ROAD;  
THENCE S 43°53'06" E, 78.96 FEET ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF LOWER MUSCATINE ROAD TO THE POINT OF BEGINNING.

SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENT, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

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Present ownership of subject property was determined by last grantor/grantee transaction, forwarded to effective date of report, subject to county recording procedure, and should not be construed as an opinion of title or any other such representation of title guarantee. Any liability to DRI arising from the reliance of this information is limited to the actual fee paid for this report.

Tuesday, September 17, 2013

page 4 of 5