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Doc ID: 025466800004 Type: GEN  
Kind: MORTGAGE  
Recorded: 12/28/2011 at 08:24:15 AM  
Fee Amt: \$22.00 Page 1 of 4  
Polk County Iowa  
JULIE M. HAGGERTY RECORDER  
File# 2012-00048656

BK 14104 PG 105-108

FIRST AMENDMENT  
TO 22-7431727832  
39731 Q  
MORTGAGE, SECURITY AGREEMENT AND FIXTURE FINANCING STATEMENT

Recorder's Cover Sheet

**Preparer Information:**

Robert C. Thomson, 500 East Court Avenue, Des Moines, IA 50309 (515)245-4300

RETURN TO:

**Return Document To:**

Robert C. Thomson, 500 East Court Avenue, Des Moines, IA 50309 (515)245-4300

**Name of Mortgagor:** 3801 LLC

**Address of Mortgagor:** P.O. Box 1797, Des Moines, Iowa 50306-1797

**Name of Mortgagee:** US Bank National Association

**Address of Mortgagee:** 520 Walnut Street, Des Moines, Iowa 50309

**Legal Description:** See Exhibit A of the First Amendment to Mortgage, Security Agreement and Fixture Financing Statement

**FIRST AMENDMENT  
TO  
MORTGAGE, SECURITY AGREEMENT AND FIXTURE FINANCING STATEMENT**

On this 22<sup>nd</sup> day of November, 2011, this First Amendment to Mortgage, Security Agreement and Fixture Financing Statement ("Mortgage") dated June 1, 2011 and was previously recorded in the records of the Polk County Recorder on June 1, 2011 in Book 13866 at Page 431, is entered into by and between 3801 LLC (Mortgagor) and U.S. Bank National Association (Mortgagee).

The Mortgagor and Mortgagee desire to amend the terms of the Mortgage as hereinafter provided to conform to the First Amendment to the Construction Note dated the 22<sup>nd</sup> day of November 2011:

1. In the first line of the first page of the Mortgage in the "Notice" provisions, the amount of \$2,300,000 shall be deleted and in lieu thereof shall be inserted \$3,150,000.
2. In the third paragraph of the Mortgage, the reference to a promissory note for "\$2,300,000" shall be deleted and inserted in lieu therein shall be a promissory note for "\$3,150,000".
3. In Article I, Definitions, "Note" the total principal amount of the Construction Note of "Two Million Three Hundred Thousand Dollars (\$2,300,000)" shall be deleted and in lieu thereof shall be inserted the total principal amount of the Construction Note shall be "Three Million One Hundred Fifty Thousand (\$3,150,000)" shall be inserted.

In all other respects the Mortgage as originally entered into is here by reaffirmed.

IN WITNESS WHEREOF, Mortgagor has executed this First Amendment to Mortgage, Security Agreement and Financing Agreement as of the date first above written.

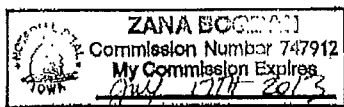
3801 LLC

By: Rich Eychaner

Rich Eychaner, Manager

STATE OF IOWA     )  
                                  ) ss  
COUNTY OF POLK    )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of November, 2011, by Rich Eychaner as manager of 3801 LLC.



[Signature]  
Notary Public

Exhibit A

LEGAL DESCRIPTION OF PROPERTY

Lots 53 and 54 and the West 50 feet of Lots 34 and 35 in Block "P", AVIATION PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa AND

Lots 51 and 52 (except the West 7 feet) in Block "P" in Aviation Park, an Official Plat, now included in and forming a part of the City of Des Moines, Iowa AND

The North 55 feet of the West 134.87 feet of Lots 46, 47, 48, 49 and 50, Block P, Aviation Park, Des Moines, Polk County, Iowa, except the North 20 feet thereof and except the West 7 feet thereof, and the South 105 feet of the West 134.87 feet of Lots 46, 47, 48, 49 and 50, Block P, Aviation Park, Des Moines, Polk County, Iowa, except the West 95.4 feet thereof and except the South 5.5 feet thereof AND

The North 20 feet of Lots 50 (except the West 7 feet), 49, 48, 47, 46 and the East 4 feet of Lot 46 (except the North 20 feet) and all of Lots 45, 44, 43 in Block "P", Aviation Park, an Official Plat, in the City of Des Moines, Polk County, Iowa; EXCEPT that part of said Lots 46, 45, 44 and 43 within the parcel of Douglas Avenue R.O.W. described as follows: Commencing at the SW corner of Section 19-79-24; thence North 89°42' East, 128.4 feet to the point of beginning; thence North 0°18' West, 38.0 feet; thence South 87°33' East, 41.65 feet; thence South 0°18' East, 0.5 feet; thence North 89°42' East, 30.4 feet along a line 35.5 feet from centerline, thence South 87°44'30" East, 56.1 feet; thence South 0°18' East, 33 feet to centerline; thence South 89°42' West, 128.0 feet to the point of beginning. All in Block "P", Aviation Park, an Official Plat, in the City of Des Moines, Polk County, Iowa; AND EXCEPT all that part of Lots 43 through 46 inclusive and the East 16 feet of Lot 47, Block "P", Aviation Park, an Official Plat, in the City of Des Moines, Polk County, Iowa, that lies within the following described line: Beginning at a point on the East line of said Lot 43, said point being 3 feet north of the Southeast corner thereof; thence North 87°44'30" West, a distance of 56.1 feet to a point on the West line of said Lot 44, said point being 5.50 feet North of the Southwest corner of said Lot 44; thence South 89°42' West a distance of 30.4 feet to a point that is 6.0 feet North of and normally distant from the South line of said Lot 46; thence North 0°18' West, a distance of 0.50 feet; thence North 87°33' West, a

distance of 41.65 feet, to a point on the West line of the East 16 feet of said Lot 47; thence North along the West line of the East 16 feet of said Lot 47, a distance of 13.85 feet; thence Easterly, along a straight line, to a point on the East line of said Lot 43, said point being 13.25 feet North of the Southeast corner of said Lot 43; thence South along the East line of said Lot 43 to the point of beginning AND

The South 105 feet of the West 95.4 feet of Lots 47 to 50 inclusive, Block P, Aviation Park, Des Moines, Polk County, Iowa, except streets.