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Fee Amt: \$22.00 Page 1 of 4  
Polk County Iowa  
JULIE M. HAGGERTY RECORDER  
File# 2009-00025473  
BK 12805 PG 188-191

## MODIFICATION OF MORTGAGE

**Preparer Information:** Thomas H. Burke  
Whitfield & Eddy, P.L.C.  
317 Sixth Avenue, Suite 1200  
Des Moines, IA 50309- 4195  
(515) 288-6041

**Taxpayer Information:** N/A

**Return Document To:** Thomas H. Burke  
Whitfield & Eddy, P.L.C.  
317 Sixth Avenue, Suite 1200  
Des Moines, IA 50309- 4195

RETURN TO:

**Grantors:** High Land Co., L.C.

**Grantees:** Community State Bank, National Association

**Legal Description:** See Exhibit "A"

**Document or instrument number of previously recorded documents:** Book 11858, Page 519

**MODIFICATION OF MORTGAGE**

This Modification of Mortgage ("Modification") is made this 6<sup>th</sup> day of October, 2008 between High Land Co., Inc. ("Grantor") and Community State Bank, National Association ("Lender").

**RECITALS:**

A. The Grantor granted a mortgage lien to the Lender under a Mortgage, dated September 15, 2006 ("Mortgage").

B. The Mortgage was recorded in the office of the Recorder of Polk County, Iowa, in Book 11858 at Page 519 and covers real estate situated in Polk County, Iowa described as follows:

**See Exhibit "A"**

C. The second paragraph of the Mortgage contains a scrivener's error in that the name of the Lender is set forth as "Community National Bank, National Association" instead of the Lender's correct name of "Community State Bank, National Association".

D. The Grantor and the Lender desire that the Mortgage be modified as herein provided, but that all terms not so modified remain unchanged and in full force and effect.

NOW THEREFORE, in consideration of the mutual covenants herein contained, it is agreed:

1. The Lender's name of "Community National Bank, National Association" in the second paragraph of the Mortgage is hereby deleted and the correct Lender's name of "Community State Bank, National Association" is substituted in lieu thereof.

2. Except as provided above, the Mortgage and all provisions thereof shall remain in full force and effect and unchanged by this Modification and all terms, conditions and provisions of the Mortgage not modified are hereby ratified and confirmed in all respects.

IN WITNESS WHEREOF, the parties have executed this instrument.

GRANTOR:

LENDER:

HIGH LAND CO., L. C.,  
an Iowa limited liability company

COMMUNITY STATE BANK,  
NATIONAL ASSOCIATION

By:

Craig Mettelle  
Craig Mettelle, Member

By:

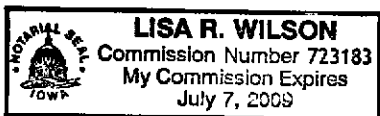
Robert Caluzzi  
Robert Caluzzi, Member

By

Fred Schuch, Vice President  
its \_\_\_\_\_

STATE OF IOWA                    )  
  ) ss.  
COUNTY OF POLK                )

This instrument was acknowledged before me on the 6<sup>th</sup> day of October, 2008 by Craig Mettelle as Member, and Robert Caluzzi as Member of High Land Co., L. C., an Iowa limited liability company.



Lisa R. Wilson  
Notary Public in and for said State

STATE OF IOWA                    )  
  ) ss.  
COUNTY OF POLK                )

This instrument was acknowledged before me on the 7<sup>th</sup> day of October, 2008 by Fred Schuch as Vice President of Community State Bank, National Association, a national bank.



Kelli R. Brendeland  
Notary Public in and for said State

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

ALL OF LOTS 1 THROUGH 8 AND THE EAST 51 FEET OF LOT 9 IN BLOCK B IN WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT; AND ALL OF LOTS 1 THROUGH 9 IN HARDING ROAD PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF DES MOINES, POLK COUNTY, IOWA, BEING SUBJECT TO ESTABLISHED EASEMENTS OF RECORD; AND THE 16.0 FOOT WIDE VACATED EAST/WEST ALLEY RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOTS 1 THROUGH 8, AND LYING SOUTH OF AND ADJOINING THE EAST 51.0 FEET OF LOT 9, IN BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT; AND WHICH LIES NORTH OF AND ADJOINING LOTS 1 THROUGH 9, HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THE PORTION OF LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AND THE PORTIONS OF LOTS 1 THROUGH 9 OF HARDING ROAD PLACE THAT WERE CONDEMNED BY THE CITY OF DES MOINES, IOWA, IN THOSE CONDEMNATION PROCEEDINGS FILED FOR RECORD IN THE OFFICE OF THE POLK COUNTY RECORDER ON JUNE 21, 2002, AT BOOK 9194, COMMENCING AT PAGE 1