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Kind: MODIFICATION OF MORTGAGE
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Fee Amt: \$17.00 Page 1 of 3
Polk County Iowa
JULIE M. HAGGERTY RECORDER
File# 2013-00059690
BK 14596 PG 1-3

FOR RECORDER'S USE ONLY

Prepared By: Sheila Lint, Loan Documentation Specialist, Bankers Trust Company, 221 3rd Avenue SE, Suite 150, Cedar Rapids, IA 52401, (319) 896-7782

ADDRESS TAX STATEMENT:

Ingersoll Square II Investments, L.L.C.; 1906 Ingersoll Avenue, Suite 4; Des Moines, IA 50309

RECORDATION REQUESTED BY:

Bankers Trust Company, 221 3rd Avenue SE, Suite 150, Cedar Rapids, IA 52401

RETURN TO:

WHEN RECORDED MAIL TO:

Bankers Trust Company, 221 3rd Avenue SE, Suite 150, Cedar Rapids, IA 52401

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 related document or instrument number can be found on page 1 of this Modification.

THIS MODIFICATION OF MORTGAGE dated December 14, 2012, is made and executed between Ingersoll Square II Investments, L.L.C., whose address is 1906 Ingersoll Avenue, Suite 4, Des Moines, IA 50309 (referred to below as "Grantor") and Bankers Trust Company, whose address is 221 3rd Avenue SE, Suite 150, Cedar Rapids, IA 52401 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated November 7, 2012 (the "Mortgage") which has been recorded in Polk County, State of Iowa, as follows:

November 9, 2012, Polk County Recorder, Book 14524, Pages 886-896.

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

A tract of land being a part of Parcel 'A' of the Plat of Survey of a part of Lots 1 - 8 of West and Burton's Addition, recorded at Book 12613 Page 296 in the office of the Polk County Recorder. Said tract of land being more particularly described as follows:

Beginning at the Northwest Corner of said Parcel 'A'; thence N89°33'09"E, 268.15 feet along the North Line of said Parcel 'A' and along the South Right-of-Way Line of High Street as it is presently established; thence S00°26'31"E, 19.44 feet; thence S89°33'29"W, 26.00 feet; thence S00°26'31"E, 57.00 feet; thence S89°33'29"W, 9.00 feet; thence S00°26'31"E, 145.88 feet to a non-tangent 100.38 feet radius curve concave to the Southwest; thence Northwesterly, 31.50 feet along said curve, said curve having a chord length of 31.37 feet and a chord bearing of N81°40'35"W; thence S89°32'24"W, 201.97 feet to the West Line of said Parcel 'A' and to the East Right-of-Way Line of Martin Luther King Jr. Parkway as it is presently established; thence N00°29'14"W, 217.58 feet along said West Line and East Right-of-Way Line, to the Northwest Corner of said Parcel 'A' and to the Point of Beginning.

Said tract of land subject to all easements of record.

Said tract of land contains 1.193 acres more or less.

The Real Property or its address is commonly known as 2000 High Street, Des Moines, IA 50309.

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

THIS MODIFICATION IS TO CORRECT THE LEGAL DESCRIPTION AS FOLLOWS:

A TRACT OF LAND BEING A PART OF PARCEL 'A' OF THE PLAT OF SURVEY OF A PART OF

**MODIFICATION OF MORTGAGE
(Continued)**

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LOTS 1 - 8 OF WEST AND BURTON'S ADDITION, RECORDED AT BOOK 12613 PAGE 296 IN THE OFFICE OF THE POLK COUNTY RECORDER. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL 'A'; THENCE N89°33'09"E, 242.15 FEET ALONG THE NORTH LINE OF SAID PARCEL 'A' AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF HIGH STREET AS IT IS PRESENTLY ESTABLISHED; THENCE S00°26'31"E, 76.44 FEET; THENCE S89°33'29"W, 9.00 FEET; THENCE S00°26'31"E, 145.88 FEET TO A NON-TANGENT 100.38 FEET RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHWESTERLY, 31.50 FEET ALONG SAID CURVE, SAID CURVE HAVING A CHORD LENGTH OF 31.37 FEET AND A CHORD BEARING OF N81°40'35"W; THENCE S89°32'24"W, 201.97 FEET TO THE WEST LINE OF SAID PARCEL 'A' AND TO THE EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AS IT IS PRESENTLY ESTABLISHED; THENCE N00°29'14"W, 217.58 FEET ALONG SAID WEST LINE AND EAST RIGHT-OF-WAY LINE, TO THE NORTHWEST CORNER OF SAID PARCEL 'A' AND TO THE POINT OF BEGINNING.

SAID TRACT OF LAND SUBJECT TO ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 1.181 ACRES MORE OR LESS.

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 endorser 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 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 DECEMBER 14, 2012.

GRANTOR ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THIS MODIFICATION OF MORTGAGE AND ALL OTHER DOCUMENTS RELATING TO THIS DEBT.

GRANTOR:

INGERSOLL SQUARE II INVESTMENTS, L.L.C.

By: 

Robert J. Caluzzi, Manager of Ingersoll Square II Investments, L.L.C.

LENDER:

BANKERS TRUST COMPANY

X 

Josh Moore, Vice President

MODIFICATION OF MORTGAGE
(Continued)

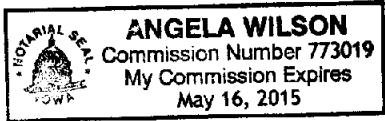
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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Polk)

On this 14th day of December, A.D., 20 12, before me, the undersigned Notary Public in said County and State, personally appeared **Robert J. Caluzzi, Manager of Ingersoll Square II Investments, L.L.C.**, to me personally known, who being by me duly sworn, did say that he or she is a member or designated agent of said limited liability company, and that the instrument was signed and sealed on behalf of the limited liability company by authority of the limited liability company and the member or designated agent acknowledged the execution of the instrument to be the voluntary act and deed of the limited liability company by it and by the member or designated agent voluntarily executed.



Angela Wilson
Notary Public in the State of _____

LENDER ACKNOWLEDGMENT

STATE OF Iowa)
) SS
COUNTY OF Linn)

On this 14 day of December, A.D., 20 12, before me, the undersigned Notary Public in said County and State, personally appeared **Josh Moore** and known to me to be the **Vice President**, authorized agent for **Bankers Trust Company** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Bankers Trust Company**, duly authorized by **Bankers Trust Company** through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of **Bankers Trust Company**.

By Linda McClintic Residing at Bankers Trust Company
Notary Public in and for the State of IA My commission expires 4-17-2014

