

Recorded: 3/13/2019 at 11:04:09.0 AM
County Recording Fee: \$62.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$65.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2019 PG: 542

Recorder's Cover Sheet-DELAWARE COUNTY

Preparer Information: Susan Gulinson
CoBank, ACB
Legal and Loan Processing
6340 S. Fiddlers Green Cir.
Greenwood Village, CO 80111
(800) 542-8072

Return Document To: Susan Gulinson
CoBank, ACB
Legal and Loan Processing
6340 S. Fiddlers Green Cir.
Greenwood Village, CO 80111
(800) 542-8072

Name of Document: Amendment dated December 5, 2018 to Amended and Restated Real Estate
Mortgage and Security Agreement dated as of November 17, 2017

Mortgagor: **IOWA REGIONAL UTILITIES ASSOCIATION
D/B/A CENTRAL IOWA WATER ASSOCIATION**

Mortgagee: **COBANK, ACB**

Legal description(s): See pages 10 through 11.

Document or instrument number of previously recorded documents:

<u>Jasper County, Iowa</u>	on May 9, 1989	as Book 928 at Page 72
<u>Marshall County, Iowa</u>	on May 15, 1989	as No. 5051-1988-9
<u>Tama County, Iowa</u>	on May 15, 1989	as Book 451 at Page 326
<u>Marion County, Iowa</u>	on May 22, 1989	as Book 242 at Page 156
<u>Story County, Iowa</u>	on May 22, 1989	as Book 365 at Page 137
<u>Mahaska County, Iowa</u>	on June 16, 1989	as Book 290 at Page 423
<u>Polk County, Iowa</u>	on June 26, 1989	as Book 616 at Page 762
<u>Poweshiek County, Iowa</u>	on June 9, 1989	as Book 464 at Page 373
<u>Grundy County, Iowa</u>	on August 10, 1998	as No. 1985 in Book 472 at Page 356
<u>Bremer County, Iowa</u>	on August 31, 2005	as Document No. 2005 4096
<u>Buchanan County, Iowa</u>	on August 31, 2005	as Document No. 2005 R03119
<u>Hardin County, Iowa</u>	on August 31, 2005	as Document No. 3051
<u>Butler County, Iowa</u>	on July 22, 2010	as No. ES10-0116
<u>Delaware County, Iowa</u>	on July 21, 2010	as Book 2010 at Page 2222
<u>Black Hawk County, Iowa</u>	on December 7, 2017	as Document No. 201800009770
<u>Franklin County, Iowa</u>	on December 8, 2017	as Document No. 20172529

Prepared by, and after recording, return to:
Susan Gulinson
CoBank, ACB
Legal and Loan Processing
6340 S. Fiddlers Green Cir.
Greenwood Village, CO 80111
(800) 542-8072

Iowa Regional Utilities Association
D/B/A Central Iowa Water Association
1351 Iowa Speedway Drive
Newton, IA 50208-8245
Recording Information: See Schedule 1 to Appendix A
Tax Parcel ID No.: See Appendix "B"
Legal Description: See Appendix "B", Pages 10 through
11 which include property descriptions for the county in
which the Mortgage is recorded

AMENDMENT DATED AS OF DECEMBER 5, 2018
TO
AMENDED AND RESTATED
REAL ESTATE MORTGAGE
AND
SECURITY AGREEMENT

DATED AS OF NOVEMBER 17, 2017

Made By and Among

**IOWA REGIONAL UTILITIES ASSOCIATION D/B/A CENTRAL IOWA WATER
ASSOCIATION**
as Mortgagor

and

COBANK, ACB
as Mortgagee

THIS INSTRUMENT CONSTITUTES A MORTGAGE AND SECURITY AGREEMENT COVERING BOTH REAL AND PERSONAL PROPERTY OF A TRANSMITTING UTILITY AND IS TO BE CROSS INDEXED IN ALL INDICES IN WHICH ARE RECORDED LIENS, MORTGAGES, OR OTHER ENCUMBRANCES AGAINST REAL AND PERSONAL PROPERTY AND FIXTURES, INCLUDING THE MORTGAGE INDEX AND THE UCC INDEX.

PURSUANT TO IOWA CODE SECTION 554B.3 (2019) THIS INSTRUMENT CONSTITUTES A LIEN ON ALL AFTER ACQUIRED PROPERTY OF THE MORTGAGOR.

NOTICE: THIS MORTGAGE SECURES CREDIT IN THE AMOUNT OF \$96,022,774.00. LOANS AND ADVANCES UP TO THIS AMOUNT, TOGETHER WITH INTEREST, ARE SENIOR TO INDEBTEDNESS TO OTHER CREDITORS UNDER SUBSEQUENTLY RECORDED OR FILED MORTGAGES AND LIENS.

THIS AMENDMENT, dated as of December 5, 2018 (hereinafter called this "Amendment") to the AMENDED AND RESTATED REAL ESTATE MORTGAGE AND SECURITY AGREEMENT dated as of November 17, 2017 (the "Mortgage"), is made by **IOWA REGIONAL UTILITIES ASSOCIATION D/B/A CENTRAL IOWA WATER ASSOCIATION** (hereinafter called the "Mortgagor"), a nonprofit corporation existing under the laws of the State of Iowa, and **COBANK, ACB** (hereinafter called "CoBank" or the "Mortgagee"), a federally-chartered instrumentality of the United States. Capitalized terms used herein but not defined herein shall have the meanings assigned in the Mortgage.

WHEREAS, Mortgagor and CoBank wish to amend and restate Appendix A attached to the Mortgage to update and add additional obligations secured by the Mortgage; and increase the Maximum Debt Limit provided for therein; and

NOW, THEREFORE, in consideration of the above premises and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. **APPENDIX A – CERTAIN OBLIGATIONS; ETC.**, as amended and restated, effective as of December 5, 2018, in the form attached hereto and incorporated herein by this reference, hereby replaces and supersedes the **APPENDIX A – CERTAIN OBLIGATIONS; ETC.** originally appended to the Mortgage.

2. The Mortgage, as amended to date, continues to serve as security for all past, current and future loans, indebtedness, liabilities and obligations of every kind and nature which currently exist or may exist in the future between the Mortgagor and CoBank.

3. This Amendment shall not be construed as a novation of the promissory note(s) or other obligations secured by the Mortgage.

4. Except as specifically amended hereby, all other terms and conditions of the Mortgage shall remain in full force and effect, in all other respects are fully confirmed and ratified, and the Mortgage shall continue as a lien upon the Mortgaged Property.

5. An exact copy of **APPENDIX B – MORTGAGED PROPERTY** to the Mortgage is appended hereto and incorporated herein by this reference.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, each of the IOWA REGIONAL UTILITIES ASSOCIATION D/B/A CENTRAL IOWA WATER ASSOCIATION, as Mortgagor, and COBANK, ACB, as Mortgagee, have executed this Amendment to Amended and Restated Real Estate Mortgage and Security Agreement to be signed in its name and its corporate seal to be hereunto affixed and thereunto duly authorized, all as of the day and year first above written.

IOWA REGIONAL UTILITIES ASSOCIATION
D/B/A CENTRAL IOWA WATER ASSOCIATION,
Mortgagor

(SEAL)

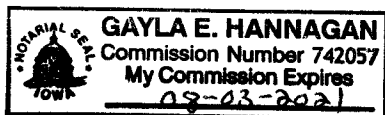
By: Ronald Dunsbergen, Pres
Printed Name: Ronald Dunsbergen
Title: President

By: Delwin Van Zante, Sec.
Printed Name: Delwin Van Zante
Title: Secretary

STATE OF IOWA)
)
COUNTY OF JASPER)

This instrument was acknowledged before me on this 12th day of March, 2019, by Ronald Dunsbergen as President and Delwin Van Zante as Secretary of Iowa Regional Utilities Association d/b/a Central Iowa Water Association.

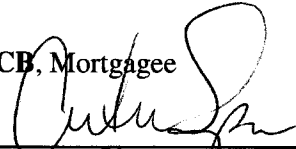
(SEAL)



Gayla E. Hannagan
Notary Public
Printed Name: Gayla E. Hannagan
Notary Public
Title (and Rank)

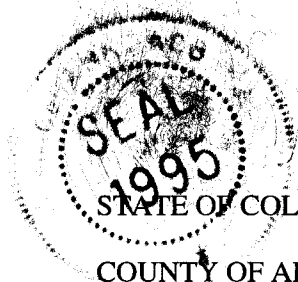
My commission expires: 08-03-2021

COBANK, ACB, Mortgagee

By: 

Printed Name: Christen Spencer

Title: Assistant Corporate Secretary



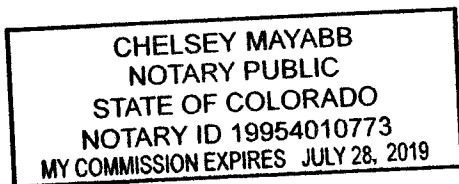
STATE OF COLORADO)

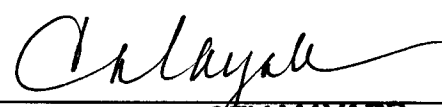
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 5 day of March, 2019 by Christen Spencer, as Assistant Corporate Secretary of CoBank, ACB, a federally-chartered instrumentality of the United States.

Witness my hand and official seal.

(NOTARIAL SEAL)



By: 

Notary Public CHELSEY MAYABB

My commission expires: _____

APPENDIX A -- CERTAIN OBLIGATIONS, ETC.
(As Amended and Restated Effective as of December 5, 2018)

1. The "Original Mortgage" referred to in the Recitals of the Amended and Restated Mortgage dated as of November 17, 2017 are as follows:

See Schedule 1 to Appendix A attached hereto.

2. The "Original Notes" referred to in the Recitals of the Amended and Restated Mortgage dated as of November 17, 2017 are as follows:

<u>Promissory Note No.</u>	<u>Note Date</u>	<u>Principal Amount</u>	<u>Maturity Date</u>
18196403T03	November 17, 2017	\$6,750,000.00	June 20, 2027
18196403T11	November 17, 2017	\$6,400,000.00	December 31, 2028
18196403T16	November 17, 2017	\$22,361,386.76	January 20, 2036
18196403T17	November 17, 2017	\$4,500,000.00	December 20, 2044
18196403S03	November 17, 2017	\$5,000,000.00	October 31, 2019, or such later date as CoBank may authorize in writing
18196403T18	November 17, 2017	\$5,000,000.00	December 20, 2037

3. The "Credit Agreements" referred to in Section 1.01 are as follows:

<u>Agreement Description</u>	<u>Agreement Date</u>
Credit Agreement No. 18196403SLA	November 17, 2017

4. The "Obligations" referred to in Section 1.01 are as follows:

<u>Promissory Note No.</u>	<u>Note Date</u>	<u>Principal Amount</u>	<u>Maturity Date</u>
18196403T19	December 5, 2018	\$3,000,000.00	December 20, 2038

5. The "Maximum Debt Limit" is: \$96,022,774.00.

**SCHEDULE 1 to APPENDIX A
TO
AMENDED AND RESTATED REAL ESTATE MORTGAGE
AND SECURITY AGREEMENT**

Original Mortgage

Real Estate Mortgage (Iowa) dated as of May 4, 1989 between Central Iowa Water Association and CoBank, ACB (formerly known as the National Bank for Cooperatives, successor in interest through merger of the Omaha Bank for Cooperatives, Central Bank for Cooperatives and various other district banks for cooperatives), as amended, recorded as:

Recorded In	Recording Information
Jasper County, IA	Recorded on 5/9/1989 in Book 928 at Page 72
Marshall County, IA	Recorded on 5/15/1989 at No. 5051-1988-9
Tama County, IA	Recorded on 5/15/1989 in Book 451 at Page 326
Marion County, IA	Recorded on 5/22/1989 at in Book 242 at Page 156
Story County, IA	Recorded on 5/22/1989 in Book 365 at Page 137
Mahaska County, IA	Recorded on 6/16/1989 in Book 290 at Page 423
Polk County, IA	Recorded on 6/26/1989 in Book 616 at Page 762
Poweshiek County, IA	Recorded on 6/9/1989 in Book 464 at Page 373

Real Estate Mortgage – Iowa dated as of September 19, 1990 between Central Iowa Water Association (f/k/a Jasper County Water Association) and CoBank, ACB (formerly known as the National Bank for Cooperatives, successor in interest through merger of the Omaha Bank for Cooperatives, Central Bank for Cooperatives and various other district banks for cooperatives), as amended, recorded as:

Recorded In	Recording Information
Tama County, IA	Recorded on 10/22/1990 in Book 461 at Page 419; rerecorded on October 29, 1990 in Book 461 at Page 471

Real Estate Mortgage – Iowa dated as of October 5, 1992 between Central Iowa Water Association and CoBank, ACB (formerly known as the National Bank for Cooperatives), recorded as:

Recorded In	Recording Information
Jasper County, IA	Recorded on 1/25/1993 at No. 5048 in Book 1001 at Page 440
Marshall County, IA	Recorded on 12/28/1992 at No. 4336-1992
Tama County, IA	Recorded on 4/2/1993 in Book 490 at Page 163
Marion County, IA	Recorded on 2/8/1993 at No. 3764 in Book 291 at Page 140
Story County, IA	Recorded on 4/2/1993 at No. 07127 in Book 485 at Page 130
Mahaska County, IA	Recorded on 3/23/1993 at No. 770 in Book 327 at Page 347
Polk County, IA	Recorded on 4/2/1993 at No. 073443 04336 in Book 6748 at Page 934
Poweshiek County, IA	Recorded on 3/1/1993 in Book 504 at Page 372

Real Estate Mortgage and Security Agreement dated as of August 3, 1998 between Central Iowa Water Association and CoBank, ACB, recorded as:

Recorded In	Recording Information
Grundy County, IA	Recorded on 8/10/1998 at No. 1985 in Book 472 at Page 356

Amended and Restated Real Estate Mortgage and Security Agreement dated as of August 3, 1998 between Central Iowa Water Association and CoBank, ACB (formerly known as the National Bank for Cooperatives, successor in interest through merger of the Omaha Bank for Cooperatives, Central Bank for Cooperatives and various other district banks for cooperatives), recorded as:

Recorded In	Recording Information
Jasper County, IA	Recorded on 8/5/1998 at No. 8131 in Book 1121 at Page 504
Marshall County, IA	Recorded on 8/10/1998 at No. 9805254
Tama County, IA	Recorded on 8/7/1998 at No. 470 in Book 579 at Page 142
Marion County, IA	Recorded on 8/7/1998 at No. 4838 in Book 418 at Page 62
Story County, IA	Recorded on 8/4/1998 at No. 98-10853
Mahaska County, IA	Recorded on 8/7/1998 at No. 2915 in Book 404 at Page 1
Polk County, IA	Recorded on 8/5/1998 at No. 012140 in Book 7976 at Page 736
Poweshiek County, IA	Recorded on 8/7/1998 at No. 3140 in Book 583 at Page 409

Amended and Restated Real Estate Mortgage and Security Agreement dated as of July 22, 2005 between Iowa Regional Utilities Association and CoBank, ACB, as amended, recorded as:

Recorded In	Recording Information
Bremer County, IA	Recorded on 8/31/2005 as Document No. 2005 4096
Buchanan County, IA	Recorded on 8/31/2005 as Document No. 2005R03119
Grundy County, IA	Recorded on 8/31/2005 in Book 2005 at Page 2360
Hardin County, IA	Recorded on 8/31/2005 as Document No. 3051
Jasper County, IA	Recorded on 8/30/2005 as Document No. 05-07138
Marshall County, IA	Recorded on 8/30/2005 as Document No. 2005-00006215
Tama County, IA	Recorded on 8/30/2005 as Instrument No. 000791 in Book 752 at Page 351
Marion County, IA	Recorded on 8/30/2005 as Document No. 05-5274
Story County, IA	Recorded on 8/30/2005 as Instrument No. 2005-00010745

Amended and Restated Real Estate Mortgage and Security Agreement dated as of June 28, 2010 between Iowa Regional Utilities Association and CoBank, ACB, recorded as:

Recorded In	Recording Information
Bremer County, IA	Recorded on 7/19/2010 at No. 20102897
Butler County, IA	Recorded on 7/22/2010 at No. ES10-0116
Grundy County, IA	Recorded on 7/20/2010 at No. ES10-0155
Jasper County, IA	Recorded on 7/20/2010 at No. 201000004226
Marshall County, IA	Recorded on 7/19/2010 at No. 201000003868
Tama County, IA	Recorded on 7/19/2010 in Book 871 at Page 793
Buchanan County, IA	Recorded on 7/29/2010 at No. E10-00546
Delaware County, IA	Recorded on 7/21/2010 in Book 2010 at Page 2222
Hardin County, IA	Recorded on 7/22/2010 at Document 2010 1921
Marion County, IA	Recorded on 7/20/2010 at No. 10-3246
Story County, IA	Recorded on 7/19/10 at No. 2010-00006788

Amended and Restated Real Estate Mortgage and Security Agreement dated as of December 16, 2014 between Iowa Regional Utilities Association d/b/a/ Central Iowa Water Association and CoBank, ACB, recorded as:

Recorded In	Recording Information
Bremer County, IA	Recorded on 7/23/2015 at Number 20153135
Butler County, IA	Recorded on 7/23/2015 at Number 2015-1763
Grundy County, IA	Recorded on 7/23/2015 at No. ES15-0373 In Book ES15 at Page 0373
Jasper County, IA	Recorded on 7/23/2015 at Instrument No. 201500004095
Marshall County, IA	Recorded on 7/23/2015 at Doc. No. 201500003618
Tama County, IA	Recorded on 7/23/2015 in Book 946 at Page 477
Buchanan County, IA	Recorded on 7/23/2015 at Number 2015R02120
Delaware County, IA	Recorded on 7/23/2015 in Book 2015 at Page 1969
Hardin County, IA	Recorded on 7/23/2015 at Document 2015 1749
Marion County, IA	Recorded on 7/24/2015 at Instrument No. 15-3247 in Book 2015 at Page 3247
Story County, IA	Recorded on 7/24/2015 at Instrument No. 2015-00007010
Dubuque County, IA	Recorded on 7/23/2015 at Number 201500009555

Amended and Restated Real Estate Mortgage and Security Agreement dated as of November 17, 2017 between Iowa Regional Utilities Association d/b/a Central Iowa Water Association and CoBank, ACB, recorded as:

Recorded In	Recording Information
Bremer County, IA	Recorded on 12/7/2017 at Number 20174780
Butler County, IA	Recorded on 12/6/2017 at Number 2017-2924
Grundy County, IA	Recorded on 12/6/2017 at Number 2017-2372
Jasper County, IA	Recorded on 12/7/2017 at Instrument No. 201700007473
Marshall County, IA	Recorded on 12/7/2017 at Doc. No. 201700006996
Tama County, IA	Recorded on 12/6/2017 in Book 12052 at Page 3498
32Buchanan County, IA	Recorded on 12/6/2017 at Number 2017R04086
Delaware County, IA	Recorded on 12/6/2017 in Book 2017 at Page 3329
Hardin County, IA	Recorded on 12/6/2017 at YR: 2017 NO: 3217
Marion County, IA	Recorded on 12/7/2017 at Instr. Number 17-5382 in Book 2017 at Page 5382
Story County, IA	Recorded on 12/6/2017 at Instr. Number 2017-12331
Black Hawk County, IA	Recorded on 12/7/2017 at Number 201800009770
Franklin County, IA	Recorded on 12/8/2017 at Number 20172529

(Exact Copy from Recorded Amended and Restated Real Estate Mortgage and
Security Agreement Dated November 17, 2017)

DELAWARE COUNTY, IOWA

**CIWA Parcels A-52 and A-53
DELAWARE COUNTY
(GREELEY TOWER SITE #1)
(GREELEY TOWER SITE #2)**

Lots Seventeen (17) and Nineteen (19), EXCEPT the West Seventy (70.0) feet of said Lots, in Block Three (3) in the original Town of Greeley, Iowa, according to plat recorded in Book E L.D., Pages 320-321.
The North Thirty (30.0) feet of the West Seventy (70.0) feet of Lot Seventeen (17), Block Three (3) in the original Town of Greeley, Delaware County, Iowa; Also all that part of Lots Seventeen (17) and Nineteen (19), Block Three (3), Greeley, Iowa, described as commencing at a point Thirty (30.0) feet South of the Northwest corner of Lot Seventeen (17), thence South Sixty-two (62.0) feet, thence East Seventy (70.0) feet, thence North Sixty-two (62.0) feet, thence West Seventy (70.0) feet to point of beginning.

**CIWA Parcel A-54
DELAWARE COUNTY
(DUNDEE BOOSTER SITE)**

Parcel A, Part of the South One-half (S½) of the Southwest Quarter (SW¼) of Section Twenty-seven (27), Township Ninety (90) North, Range Five (5) West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2008, Page 3383.

HARDIN COUNTY, IOWA

**CIWA Parcel A-32
HARDIN COUNTY
(CITY OF WHITTEN SANITARY SEWER LAGOON SITE)**

All that part of the Southwest Quarter of the Southeast Quarter of Section 13, Township 86 North, Range 19 West of the 5th P.M., Hardin County, Iowa, contained within the following metes and bounds, to-wit: Commencing at the Southeast Corner of said Section 13, thence West 1,318.23 feet along the South line of said Southeast Quarter to the point of beginning; thence continuing West 625.00 feet along said South line of the Southeast Quarter; thence North 0°36'30" East 583.00 feet; thence East 625.00 feet; thence South 0°36'30" West 583.00 feet to the point of beginning.

**CIWA Parcel A-35
HARDIN COUNTY
(HARDIN/UNION BOOSTER STATION SITE)**

(Parcel acquired by Warranty Deed dated December 10, 2002, recorded December 12, 2002 and appearing of record as microfilm #02-4815)
Commencing at the Center of Section 21, Township 86 North, Range 19 West of the 5th P.M., Hardin County, Iowa; thence West 70.00 feet along the North line of the SW¼ of said Section 21 to the point of beginning; thence continuing West 45.00 feet along the North line of the SW¼ of said Section 21; thence South 80.00 feet; thence East 45.00 feet; thence North 80.00 feet to the point of beginning. (NOTE: The North line of the SW¼ of Section 21-86-19 is assumed to bear due East and West for the purpose of this description.)

2. Legal descriptions of real property in which the Mortgagor has a leasehold estate:

None

3. Counties in which real property of the Mortgagor is located:

Marion, Tama, Story, Jasper, Marshall, Bremer, Buchanan,
Butler, Delaware, Grundy and Hardin Counties, Iowa (Real
Property and Water Utility Facilities)

Black Hawk and Franklin Counties, Iowa (Water Utilities
Facilities)