Recorded: 11/6/2024 at 2:37:55.0 PM

County Recording Fee: \$77.00 Iowa E-Filing Fee: \$3.00 Combined Fee: \$80.00 Revenue Tax: \$0.00 Delaware County, Iowa Daneen Schindler RECORDER

BK: 2024 PG: 2804

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 as of <u>September 13, 2024</u> to Amended and

Restated Real Estate Mortgage and Security Agreement dated as of

November 17, 2017, as previously amended

Mortgagor:

IOWA REGIONAL UTILITIES ASSOCIATION, D/B/A

CENTRAL IOWA WATER ASSOCIATION

Mortgagee:

COBANK, ACB

Legal description(s):

Page 13, See Appendix "B" attached hereto

Document or instrument number of previously recorded documents:

Bremer County, Iowa	on	August 31, 2005	as	Document No. 2005 4096
Buchanan County, Iowa	on	August 31, 2005	as	Document No. 2005 R03119
Butler County, Iowa	on	July 22, 2010	as	ES10-0116
Delaware County, Iowa	on	July 21, 2010	in	Book 2010 at Page 2222
Grundy County, Iowa	on	August 10, 1998	as	No. 1985 in Book 472 at Page 356
Hardin County, Iowa	on	August 31, 2005	as	Document No. 3051
Jasper County, Iowa	on	May 9, 1989	in	Book 928 at Page 72
Marion County, Iowa	on	May 22, 1989	in	Book 242 at Page 156
Marshall County, Iowa	on	May 15, 1989	as	No. 5051-1988-9
Story County, Iowa	on	May 22, 1989	in	Book 365 at Page 187
Tama County, Iowa	on	May 15, 1989	in	Book 451 at Page 326

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", Page 13 which include property descriptions for the County in which the Mortgage is recorded.

AMENDMENT DATED AS OF

TO

AMENDED AND RESTATED REAL ESTATE MORTGAGE AND SECURITY AGREEMENT

DATED AS OF NOVEMBER 17, 2017, AS PREVIOUSLY AMENDED

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 (1997) THIS INSTRUMENT CONSTITUTES A LIEN ON ALL AFTER ACQUIRED PROPERTY OF THE MORTGAGOR.

NOTICE: THIS MORTGAGE SECURES CREDIT IN THE AMOUNT OF \$173,415,594.00. 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 <u>September 13, 2024</u> (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 <u>Jeptember</u> 13, 2624, in the form attached hereto and incorporated herein by this reference, hereby replaces and supersedes the APPENDIX A CERTAIN OBLIGATIONS; ETC. (as Amended and Restated effective as of May 11, 2020) appended to the Mortgage.
- 2. A true and correct copy of APPENDIX B MORTGAGED PROPERTY (as Amended and Restated effective as of November 17, 2017) to the Mortgage is appended hereto and incorporated herein by this reference.
- 3. A true and correct copy of **APPENDIX C EXCEPTED PROPERTY** to the Mortgage is appended hereto and incorporated herein by this reference.
- 4. 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.
- 5. This Amendment shall not be construed as a novation of the promissory note(s) or other obligations secured by the Mortgage.
- 6. 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.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, each of the IOWA REGIONAL UTILITIES ASSOCIATION, D/B/A CENTRAL IOWA WATER ASSOCIATION, as Mortgager, and COBANK, ACB, as Mortgagee, have executed this Amendment to the Mortgage 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: Konsel Qualingen Pres
Printed Name: Banald Durshamer

Title: President

Printed Name: Delwin Van Zante

Title: Secretary

sg 9/13/2024

[NOTARIES CONTINUE ON NĚXT PAGE]

and the second s	
STATE OF Lowa	
COUNTY OF <u>Jasper</u>	
•	
This instrument was acknowledged be by Ronald Duneberg en as Central Iowa Water Association.	efore me on this 6 day of August, 2024, President of Iowa Regional Utilities Association, D/B/A
TODD ROZENDAAL COMMISSION NO. 7 4 9 1 2 3 MY COMMISSION EXPIRES	Notary Public Printed Name: Todd Rozandaal
1000 9-2.7-2025	Motary Public Title (and Rank)
My commission expires: $9-27-202$	5
STATE OF Towa	
COUNTY OF Jasper	
This instrument was acknowledged by Delwin Van Zante as Central Iowa Water Association.	efore me on this 6 day of Quest, 2024, Secretary of Iowa Regional Utilities Association, D/B/A
TODD ROZENDAAL COMMISSION NO. 749123 MY COMMISSION EXPIRES 4-27-2025	Notary Public Printed Name: Toda Rozendaa
	Notary Public. Title (and Rank)
My commission expires: $9-27-2025$	

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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 existing "Obligations" referred to in Section 1.01 of the Amended and Restated Mortgage and Security Agreement dated as of November 17, 2017, as amended, are as follows:

Promissory Note No.	Note Date	Principal Amount	Maturity Date
18196403T03-B (which amended and restated 18196403T03 dated November 17, 2017, as previously amended and restated)	November 9, 2022	\$ 6,750,000.00	June 20, 2027
18196403T11-B, as amended (which amended and restated 18196403T11 dated November 17, 2017, as previously amended and restated)	May 11, 2020	\$ 6,400,000.00	December 20, 2053
18196403T16-C (which amended and restated 18196403T16 dated November 17, 2017, as previously amended and restated)	November 9, 2022	\$22,361,386.76	January 20, 2036
18196403T17-B (which amended and restated 18196403T17 dated November 17, 2017, as previously amended and restated)	January 3, 2022	\$ 4,500,000.00	December 20, 2044
18196403T18-B (which amended and restated 18196403T18 dated November 17, 2017, as previously amended and restated)	January 3, 2022	\$ 5,000,000.00	December 20, 2037
18196403T19-B (which amended and restated	January 3, 2022	\$ 3,000,000.00	December 20, 2038

18196403T19 dated December 5, 2018, as previously amended and restated)

18196403T22

May 11, 2020

\$18,196,410.03

January 20, 2050

18196403T23, as

May 11, 2020

\$5,000,000.00

November 20, 2050

18196403T25

and restated)

amended

November 9, 2022

\$3,000,000.00

December 20, 2052

18196403S03-B (which amended and restated 18196403S03 dated November 17, 2017, as previously amended

September 13,2024 \$ 8,000,000.00

October 31, 2025, or such later as CoBank may authorize in writing

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

Agreement Description

Agreement Date

Credit Agreement 18196403SLA, as amended

November 17, 2017

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

Promissory Note No.

Note Date

Principal Amount

Maturity Date

18196403T26

September 13,2024 \$4,500,000.00

December 20, 2055

The "Maximum Debt Limit" is: \$173,415,594.00. 5.

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
	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
1	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
Buchanan 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

APPENDIX B - MORTGAGED PROPERTY

(As Amended and Restated November 17, 2017)

(A True and Correct Copy from Amended and Restated Real Estate Mortgage and Security Agreement dated November 17, 2017)

1. Legal descriptions of real property in which the Mortgagor has a fee estate:

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 (SW½) 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.

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:

Bremer, Buchanan, Butler, Delaware, Grundy, Hardin, Jasper, Marion, Marshall, Tama and Story Counties, Iowa

APPENDIX C – EXCEPTED PROPERTY

(As Amended and Restated Effective as of November 17, 2017)
(A True and Correct Copy from Amended and Restated Real Estate Mortgage and Security Agreement dated November 17, 2017)

- All automobiles, trucks, trailers and other vehicles (including, without limitation, aircraft or ships) owned or used by the Mortgagor and any equity and other securities or investments of the Mortgagor in CoBank.
- Property described below released by Partial Release of Real Estate Mortgage as recorded in Jasper County. Iowa. on February 26, 2013 as Document iD 002142860003, together with all improvements.

CIWA Parcel A-4 JASPER COUNTY (PRIMARY PUMP STATION SITE)

A tract or parcel of land lying in the Southeast Quarter of the Northeast Quarter of Section 13, Township 79 North, Range 20 West of the 5th P.M., Jusper County, Iowa, described more particularly as follows:

From the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 13, run North along the West line of the Southeast Quarter of the Northeast Quarter of said Section 13 for 477.0 feet to the point of beginning of the land herein described. From said point of beginning, run East normal to the West line of the Southeast Quarter of the Northeast Quarter of said Section 13 for 110.0 feet; thence run North parallel with the West line of the Southeast Quarter of the Northeast Quarter of said Section 13 for 155.0 feet; thence run West normal to the West line of the Southeast Quarter of the Northeast Quarter of said Section 13 for 110.0 feet to said West line; thence run South along the West line of the Southeast Quarter of the Northeast Quarter of said Section 13 for 155.0 feet to the point of beginning. (Tract contains approximately 0.39 acres and is subject to easements for public roadway along the West side thereof).

 Property described below released by Partial Release of Real Estate Mortgage as recorded in Marshall County, Iowa, on January 6, 2015 as Document ID 2015-00000060, together with all improvements.

CIWA Parcel A-14 MARSHALL COUNTY (MARSHALL-STORY PROJECT/PHASE IV) (SERVICE AREA #11 BOOSTER PUMP STATION SITE)

Commencing at the Northeast Corner of the Southeast Quarter of the Northeast Quarter of Section 22, Township 84 North, Range 18 West of the 5th P.M., Marshall County, Iowa, thence North 90°00'00" West (assumed) 226.8 feet along the North line of said Southeast Quarter of said Northeast Quarter, thence South 00°00'00" 60.0 feet to the South right-of-way line of Marshall County Road and point of beginning; thence North 90°00'00" West 55.00 feet along said South right-of-way line, thence South 68°06'39" east 99.63 feet, thence North 45°13'54" West 52.74 feet to the point of beginning, containing approximately 1,021 square feet, more or less.