

Recorded: 4/27/2026 at 1:57:23.0 PM  
County Recording Fee: \$17.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$20.00  
Revenue Tax: \$0.00  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2026 PG: 1006

**Preparer Information: Jase H Jensen, 3200 37<sup>th</sup> Avenue SW, Cedar Rapids, IA 52404  
(319)396-2410**

**Return document to: Community Savings Bank, PO Box 77, Edgewood IA 52042**

**Title of Document: Mortgage Assumption and Release Agreement**

**Grantor: Mitchell A Kirby**

**Grantee: Jessica M Kirby**

## **MORTGAGE ASSUMPTION AND RELEASE AGREEMENT**

This assumption and release agreement is entered into among Community Savings Bank ("CSB"), Jessica M. Kirby a/k/a Jessica Marie Kirby ("Jessica"), and Mitchell A. Kirby a/k/a Mitch A. Kirby ("Mitch"), collectively, the ("Parties").

### **RECITALS**

- A. Mitch and Jessica purchased real estate located at 503 Soldiers Ave, Edgewood, Iowa 52042 and legally described as:  
  
Lot Nineteen (19) Phelps' Addition to Edgewood, Iowa, according to the plat recorded in Book 1, Pages 91-92, in Delaware County, Iowa.**
- B. Jessica and Mitch subsequently gave CSB a Note and Mortgage against the real estate. The Mortgage was recorded March 23, 2021 in Volume 2021, Page 1024.**
- C. The marriage of Jessica and Mitch was dissolved by Decree entered April 1, 2026 in Delaware County Case No. CDDM008509. The real estate mentioned above was awarded to Mitch. Mitch is to indemnify and hold Jessica harmless from all obligations for the real estate. Jessica executed a Quit Claim Deed to Mitch, which was recorded April 7, 2026 as Volume 2026, Page 814.**
- D. Mitch will remain solely in title to the real estate and solely responsible for all obligations. The Note and Mortgage will remain in full force in effect as to Mitch, but the parties wish to remove Jessica from any and all liability as to the Note and Mortgage.**
- E. Any and all other obligations of the Decree of Dissolution shall remain in full force and effect.**
- F. The parties wish to make an agreement to memorialize such agreement.**

### **AGREEMENT**

- 1. The recitals above are incorporated into this paragraph as if fully set forth herein.**
- 2. Mitch shall remain on the Note and Mortgage and shall be completely liable for the Note and Mortgage and the real estate described herein. The Note and Mortgage shall remain in full force and effect against the real estate and Mitch.**
- 3. Jessica is removed from the Note and Mortgage and shall be held harmless therefrom.**
- 4. This writing contains the entire understanding of the parties and there are no representations, warranties, or guarantees outside this writing, and it may only be modified by a separate writing signed by all the parties. This agreement shall be governed by the laws of the State of Iowa and binding on successors and assigns.**
- 5. By signing below the parties acknowledge that they have read and understand this agreement and agree to be bound to it and are entering into it freely and voluntarily and with capacity and authority. The parties have had adequate opportunity to obtain independent legal counsel regarding this agreement before signing. This agreement may be signed in separate parts. In the event any provision is deemed null and void the remaining provisions shall remain in full force and effect.**
- 6. The parties agree to sign any and all documents to effectuate this agreement. A Memorandum of this agreement may be filed with the County Recorder. This agreement may be recorded by CSB.**

Wherefore, the parties agree to the terms and conditions of this agreement as evidenced by their signatures below.

Jennifer A. Monk

Community Savings Bank  
By: Jennifer A. Monk  
As: Vice President / Senior Mortgage Officer

Jessica M. Kirby  
Jessica M. Kirby a/k/a Jessica Marie Kirby

Mitchell A. Kirby  
Mitchell A. Kirby a/k/a Mitch A. Kirby

STATE OF IOWA, COUNTY OF Delaware, ss:

This record was acknowledged before me this 24 day of April, 2026, by Jennifer A. Monk as Vice President / Senior Mortgage Officer of Community Savings Bank.



Melinda M. Malone  
Signature of Notary Public

STATE OF IOWA, COUNTY OF Delaware, ss:

This record was acknowledged before me this 24 day of April, 2026, by Jessica M. Kirby a/k/a Jessica Marie Kirby, a single person.



Kristen M. Arthur  
Signature of Notary Public

STATE OF IOWA, COUNTY OF Delaware, ss:

This record was acknowledged before me this 20 day of April, 2026, by Mitchell A. Kirby a/k/a Mitch A. Kirby, a single person.



Kristen M. Arthur  
Signature of Notary Public