

Mortgage Record No. 94, Madison County, Iowa

Madisonian, B-1912

MY COMMISSION EXPIRES August 20, 1944.

J. W. Holmes

#4848

Filed for record the 30 day of December
A.D. 1942 at 11:30 o'clock A.M.

To
Bankers Life Co

Fee \$.70

Pearl E. Shetterly, Recorder

WAIVER OF PRIORITY OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS: That J. W. Holmes, of Madison County, Iowa, is the owner and holder of that certain promissory note in the sum of \$6,000.00, dated February 28, 1931, executed by O. E. Harrell and Bessie Harrell to Edgar Harrell, and is the owner and holder of that certain mortgage securing said note, which mortgage is dated the 28th day of February, 1931, was filed for record on March 14, 1931 and recorded in Book 83, Page 43 of the Mortgage Records of Madison County, Iowa, covering the real estate described as follows, to-wit:

The Southeast Quarter of the Southeast Quarter of Section 19 and the Southeast Quarter of the Northeast Quarter and the North Half of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 30, all in Township 75 North, Range 27, West of the 5th P.M., in Madison County, Iowa,

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and which mortgage was assigned to said J. W. Holmes by that certain assignment recorded in Book 90, Page 382 of the Mortgage Records of said Madison County, Iowa, and

That the mortgage above described is subject to a first mortgage originally in the sum of \$20,000.00 to the Illinois State Bank of Quincy, recorded in Book 82, Page 337 of the Mortgage Records of said Madison County, Iowa, and

That Bankers Life Company, a corporation, of Polk County, Iowa, is the owner and holder of a certain promissory note in the sum of \$16,000.00, dated November 25, 1942, executed to it by Omer E. Harrell and Bessie G. Harrell, and of the mortgage given to secure said note, bearing even date therewith, executed by said Omer E. Harrell and Bessie G. Harrell, to said Bankers Life Company, and recorded in Book 95, Page 149 of the Mortgage Records of said Madison County, Iowa, and which mortgage covers the same land as is covered by the other two mortgages above mentioned, and

That the proceeds of said loan made by said Bankers Life Company are being used to pay the indebtedness secured by the above mentioned mortgage to Illinois State Bank of Quincy.

NOW, THEREFORE, in consideration of the sum of One Dollar and other valuable considerations in hand paid by said Bankers Life Company to said J. W. Holmes, and in consideration of the payment by said Bankers Life Company of the proceeds of its loan above mentioned to said Illinois State Bank of Quincy and the release of said mortgage above mentioned to said Bank, ~~and~~ said J. W. Holmes hereby waives the priority of his said mortgage recorded in Book 83, Page 43, as aforesaid, over the mortgage of said Bankers Life Company above mentioned, recorded in Book 95, Page 149, as aforesaid, and agrees that the lien of said mortgage of said Bankers Life Company shall be a first lien upon the land therein described, prior and superior to any right, title, interest, claim or lien which he, the said J. W. Holmes, may have in or upon said premises.

Dated this 30th day of December, 1942.

J W Holmes

STATE OF IOWA COUNTY OF MADISON :SS

On this 30th day of December, A.D. 1942, before me, a Notary Public in and for Madison County, Iowa, personally appeared J. W. Holmes, to me known to be the person ~~named in~~ who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Harry F. Anderson Notary Public
in and for Madison County, Iowa.

FILED FOR RECORD THE 31 DAY OF DECEMBER