

Document 2012 2846

Book 2012 Page 2846 Type 04 005 Pages 4
Date 9/24/2012 Time 1:14 PM
Rec Amt \$22.00

INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared By:

Jody Nation 1602 Snedden Drive Boone, IA 50036 515-432-4320
(Name) (Address) (Telephone No.)

Return To:

USDA Boone County FSA 1602 Snedden Drive Boone, IA 50036 515-432-4320
(Name) (Address) (Telephone No.)

This form is available electronically.

FSA-2455 IA
(10-30-08)

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

Position 1 (Chattel Security)
Position 5 (Real Estate Security)

SUBORDINATION BY THE GOVERNMENT

1. The United States of America acting through the United States Department of Agriculture (called the "Government")
is the owner and holder of the following-described instruments executed by (a) Ryan Eugene Burger
and Erica Ann Burger

of (b) Madison County,
State of (c) Iowa :

(d) Title of Instrument	(e) Date of Instrument	(f) Date Filed	(g) Office Filed	(h) Document File or Book No.	(i) Page No.
Real Estate Mortgage	07/23/2010	07/26/2010	Madison County Recorders	Document#2010-1700 Book 2010	Page 1700

AND, (j) Charter Bank 455 6th Street Waukee, Iowa 50263 (called the "Lender")
has agreed to loan (k) \$ 182,000.00 to (l) Ryan Eugene Burger and
Erica Ann Burger (called the "Borrower") for the following purposes: (m)

Refinancing first mortgage.

Due: 01/01/2028

2. THEREFORE, in consideration of the Lender's agreement to make such loan to Borrower and meet other conditions of this subordination, the Government (1) consents to the Borrower obtaining the loan from the Lender for such purposes, and (2) agrees to and does subordinate in favor of the Lender and its successors and assigns its liens of security interests created or evidenced by the above described instruments insofar as they cover the following described property and provided the Lender perfects a lien on this property:

See Attachment A

3. This subordination is limited to (1) the amount actually loaned by the Lender to the Borrower (principal and accrued interest) for the foregoing purposes, (2) future advances for taxes, insurance, and payments on liens prior to the Lender's lien, and (3) the amount actually advanced for foreclosure costs made by the Lender. Any amount in excess of such amount will not be covered by this subordination unless prior written consent was obtained from the Government for incurring the expenditure in question.

4. The Lender must:

- a. Incorporate into the Borrower's promissory note a statement that the loan will be in default should any proceeds of the loan funds obtained as a result of this subordination be used (1) for a purpose that will contribute to the excessive erosion of highly erodible land or to the conversion of wetlands to produce an agricultural commodity, as provided by 7 C.F.R. part 1940, subpart G or any successor regulation, or (2) for any purpose not provided for above.
- b. Obtain a perfected security interest on the above property.
- c. Give notice of foreclosure as required by the Government

5. FSA offsets under the Debt Collection Act (31 U.S.C. 3711 et seq.) or 7 C.F.R. part 3 have priority over this subordination.

6. When the indebtedness has been satisfied, lender must mark this form "PAID IN FULL" and return it to the Department of Agriculture at the following address:

USDA Boone County FSA

1602 Snedden Drive

Boone, Iowa 50036-5421

7. IN WITNESS WHEREOF, the Government has executed this subordination by signing on

on (a) 17th day of (b) September, (c) 20 12.

**UNITED STATES OF AMERICA
U.S. DEPARTMENT OF AGRICULTURE**

Andy Hunziker
Andy Hunziker

BY (d)

TITLE (e) Farm Loan Manager

FARM SERVICE AGENCY

8. ACKNOWLEDGMENT

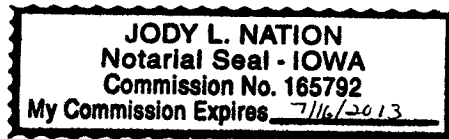
State of Iowa }
County of Boone } ss.

On this 17th day of September, 2012 before me personally appeared Andy Hunziker, to be known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledge that he signed and delivered the instrument as his free and voluntary act, for the uses and purposes set forth.

My Commission Expires:

7/16/2013

Jody L. Nation
Notary Public



The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Attachment A to: FSA-2455 IA SUBORDINATION BY THE GOVERNMENT
Dated: 09/13/2012

USDA -- Ryan Eugene Burger & Erica Ann Burger -- Charter Bank

2 Property Legal Description:

Parcel B a part of the Southeast Quarter (SE ¼) of Section Thirty-Five (35), Township Seventy-Seven (77) North, Range Twenty-Nine (29) West of the 5th P.M., Madison County, Iowa described as follows: Beginning at an iron pin that is South (S) 00°12'12" East (E) a distance of 314.12' from the East Quarter (E ¼) corner of said Section Thirty-Five (35); thence South (S) 00°12'12" East (E) a distance of 1202.43'; thence North (N) 88°54'54" West (W) a distance of 354.46'; thence North (N) 00°16'01" West (W) a distance of 1202.46"; thence South (S) 88°54'54" East (E) a distance of 355.79' to point of beginning having an area of 9.800 acres including .82 acres of County road right-of-way easement.