

<p><b>USDA-RD</b> Form RD 443-16 (Rev. 3-03)</p>	<p>Position 5</p> <p><b>ASSIGNMENT OF INCOME FROM REAL ESTATE SECURITY RURAL DEVELOPMENT FARM SERVICE AGENCY</b></p>	<p>FORM APPROVED OMB NO. 0560-0158</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">STATE</td> </tr> <tr> <td style="padding: 2px;">COUNTY</td> </tr> <tr> <td style="padding: 2px;">CASE NO.</td> </tr> </table>	STATE	COUNTY	CASE NO.
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The United States of America, acting through Rural Development or the Farm Service Agency, United States Department of Agriculture, (called the "Government"), is the holder of a loan in the sum of \_\_\_\_\_ dollars (\$) \_\_\_\_\_, made to \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ County, State of \_\_\_\_\_, (called the "Borrower");

THEREFORE, in consideration of the Government's making this loan, or permitting the Borrower to execute the instrument described below, the Borrower sells, assigns, transfers, and conveys to the Government \_\_\_\_\_ percent ( \_\_\_\_\_ %) of any and all rents, royalties, bonuses, payments, delay monies, damages, and other income which may now be or later become owing to the Borrower under the terms of this instrument, which is described as follows:

*(For description of instrument, show title, date, names of Lessor and Lessee, and recording information)*

or of any renewal or extension of the instrument or of any other lease or agreement supplementary to it which may be

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Used in cases in which the borrower is to derive income from a lease or agreement executed in connection with real estate security property when all or a part of the proceeds will be collected over a period of time. Sets forth percentage of such income to be paid by lessee to the Agency, or jointly to borrower and the Agency.

When all funds to be received under the assignment will be applied as payments on the loan, the alternate phrase in paragraph three with respect to issuing checks payable jointly to the borrower and the Agency will be stricken.

When any funds to be received under the assignment will be regular farm income as defined in RD Instruction 1951-A and the borrower is not willing to apply all of such proceeds on Agency account, the alternate phrase in paragraph three with respect to issuing checks payable to the Agency only will be stricken, and the name of the borrower will be inserted in the other phrase.

All funds received under the assignment will be used in accordance with Agency regulations.

**(see reverse)**

PROCEDURE FOR PREPARATION

: RD Instructions 1951-E and 3570-E.  
FSA Transferred Instructions 1943-A, 1943-B, and 1965-A.

PREPARED BY

: Servicing Official and completed by borrower(s).

NUMBER OF COPIES

: Original and two.

SIGNATURES REQUIRED

: Borrower(s) on original and one copy.

DISTRIBUTION OF COPIES

: Original and signed copy forwarded to lessee immediately except when later submission is authorized in small RH nonfarm tract cases. Lessee signs original and returns it to Field Office. Copy retained by lessee. Copy to borrowers. Whenever the Government releases its lien, the "Release of Mortgage Interest" portion of the original form will be executed by the Servicing Official or his/her delegate and sent to the lessee.

**Page 2 of Form RD 443-16**

entered into between the Borrower and the Lessee. The Borrower covenants that the Borrower has made no other assignment or encumbrance of the income.

The Lessee, and the heirs, executors, administrators, successors, and assigns of the Lessee are directed to pay to the Government the above listed percentage of all sums now owing or to become owing to the Borrower under the instrument by checks payable to

\*The Government, for the account of \_\_\_\_\_.

\* \_\_\_\_\_ and the Government, to be remitted to the  
(Name of Borrower)

Government at \_\_\_\_\_ or to such other person as may be designated in writing by the State Director or State Executive Director, until notified in writing by the Government of the termination of this assignment.

This assignment shall terminate when the above listed indebtedness of the Borrower shall have been paid in full: *Provided, however,* That the Lessee shall not be liable to the Borrower for any payment to the Government which the Lessee may have made subsequent to the time when said indebtedness of the Borrower has been paid in full, unless the Lessee has received, prior to any such payment, written notice from the Government that the Borrower's indebtedness has been paid in full.

The Government assumes no responsibility under any of the provisions of the instrument described above, or of any other agreement or agreements between the Borrower and the Lessee.

Each amount received by the Government under this assignment shall be used in accordance with the regulations of the Government in effect when such amount is received.

**IN WITNESS WHEREOF**, the Borrower has signed and sealed the foregoing assignment this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Witnesses:

\_\_\_\_\_  
(Borrower) (SEAL)

\_\_\_\_\_  
(Co-Borrower) (SEAL)

*\*Strike inapplicable phrase*

**Page 3 of Form RD 443-16**

**ACKNOWLEDGMENT**

The undersigned Lessee recognizes the foregoing assignment, and agrees to remit to the Government in the manner specified in the assignment the percentage of the income as provided in the assignment.

Date \_\_\_\_\_, \_\_\_\_\_ \_\_\_\_\_  
*(Lessee)*

\_\_\_\_\_  
*(Address)*

**RELEASE OF MORTGAGE INTEREST**

The interest of the United States of America in the property described in this instrument ceased as of

\_\_\_\_\_ and the Government shall have no interest in such property thereafter.  
*(Date of final payment)*

UNITED STATES OF AMERICA

\_\_\_\_\_

*(Title)*

UNITED STATES DEPARTMENT OF AGRICULTURE