			IUDE THIS STUB WITH N SIOUX COUNTY TREASURER		2009 CT
) F	RANDALL J. JACOBSMA		Receipt #
			DRANGE CITY, IA 51041-0077 Phone: 712-737-3505		154189
		· · · · · · · · · · · · · · · · · · ·	TAX DUE: March 1,2011		11
			TAX DELQ: April 1, 2011		1 and the
			MAR 1,2011 \$254.00		· _
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			BRUNSTING FAMILY		
			% BRUNSTING, ELM		
			13630 PINEROCK		
			HOUSTON TX 77079		
		1		~ ·	
			Dist: 210	Parcel: 1002101003	فالحياكي البدفية فبحث مناهية
P Dist/Parcel: 210 1002101003 A Receipt# 154189 Type 2009 R Cont. Cr. Sec/Twp/Rng 02-096-45 5000 5000	Distri CT Location t Deed B	ct Name BOYDEN-HULL V	VELCOME	Cla IG FAMILY LIVING TRUS	iss A T
Legal: NW NW • EXC TR 542.	.5' X 660'		,		
VALUATIONS AND TAXES:	This Year	Last Year	INDEXING:	i	
• · · ·	sessed Taxable 3,640 22,294	Assessed Taxable 22,73021,334 -	 N Other taxes unpaid NO D , Special Assessments du E,Drainage due , NO 	ie NO	n an
A Buildings:	0 0		X Tax sale certificate NO	т а 	· · ·
T Dwelling:	[°] מססט ⁶				
O Less Military Credit:	0		G		1
N S NET TAXABLE VALUE: 33	3,640 22,294	22,730 21,334	O DEED BRUNSTING I	AMILY LIVING TRU	ST
	0,040 $22,2041$		DRUNSTING,	ELMER H. &	
S NET TAXABLE VALUE: 33 Value Times Levy Rate of:	23.8759400	\ 23.5546300 [N NELVA E. TH	RUSTEES	
Value Times Levy Rate of: T EQUALS GROSS TAX OF:	\$532.29	\$502.51	E HOUSTON TX	RUSTEES	
Value Times Levy Rate of:				RUSTEES	
Value Times Levy Rate of: T EQUALS GROSS TAX OF: A Less Credits of: Homestead: X Low Income/Elderly Credit: E Ag Land Credit:	\$532.29 \$.00, \$.00 \$24.69-1	\$502.51 \$.00 \$.00 \$24.65-	E HOUSTON TX	RUSTEES	
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• • •] • •	- PAYMENTS: Taxes postmarked with a l or March postmark. payments will be ac	s are due on September JS Postal Service postm October or April postm cepted on the first day c	Ist, and March 1st aark of September, narks will require i of the following mo	• They become DELIN or March. Mailing on s nterest. If the last day o onth without interest. D	EASE REA QUENT on Oct Sept. 30 or Mar of September or Delinguent taxes	ober 1st and Apri h 31 DOES NOT March falls on a accrue 1.5% per r	l 1st. Payments must guarantee a Septemb Saturday or Sunday, month interest, round	ed 11
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SIOUX COUNTY TREASURER	2009 CT
RANDALL J. JACOBSMA PO BOX 77	Receipt #
ORANGE CITY, IA 51041-0077 Phone: 712-737-3505	154190
TAX DUE: March 1,2011 TAX DELQ: April 1,2011	16
MAR 1, 2011 \$345.00	
it in the second se	March
BRUNSTING FAMILY LIVING TRU	IST TIT
% BRUNSTING, ELMER H.	
13630 PINEROCK	-
,	-

SIOUX COUNTY TAX BILL for SEPTEMBER 2010 and MARCH 2011. *Please keep it in a safe place*. Send the correct stubs along with your check for payment. If your taxes are paid by your Bank in Escrow, this is for your information only. SEE REVERSE SIDE. Based on January 1,2009 valuations. Taxes for July 1,2009 through June 30,2010. Payable September 2010 and March 2011.

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1

P A R C E L	Dist/Parcel: 210 1002126001 Receipt# 154190 Type 2009 CT Cont. Sec/Twp/Rng 02-09645 Legal: NE NW	Location	Name BOYDEN-HUL RUNSTING FAMILY LIVIN 5 35.50		Mail BRUNSTING Address # 0000		Class A TRUST	· · ·
. VA	ALUATIONS AND TAXES: T	'his Year	Last Year	INDEXING:				
A U A T I O N	Asses Land: 45,7 Buildings: 5,7 Dwelling: Less Military Credit: NET TAXABLE VALUE: 45,7 Value Times Levy Rate of:	$\begin{array}{c} \text{ssed} \text{Taxable} \\ 780+30,339 \\ 0 & 0 \\ 0 \\ 0 \\ \hline 0 \hline$	Assessed Taxabil 30,930,-29,033 0,0 1,0 1,1,1,1 30,930, 29,030 1,23,5546300 1,5,00 5,00 1,5,000 1,	O DEED:	BRUNSTING FA BRUNSTING, E NELVA E. TRU HOUSTON TX 7	MILY LIVING	TRUST	· · · · · · · · · · · · · · · · · · ·
	NET ANNUAL TAXES:	\$690.00.0 ¹	/ \$650.00	<u> </u>				
	Ag Dwelling Tax:	1 \$.00			ax Relief already o			<u>. </u>
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Y	OU MAY PAY ONLINE AT W	ww.iowatreasui	ers.org					
R/ PC	ANDALL J. JACOBSMA	Receipt # 154190	DUE Sept 1, 2010 Date Paid:	\$345.00	DUE M	larch 1, 2011 Paid:	•	
-			CHECK #:		CHEC			
R	etain this lower portion for your reco	ords. Enter the date p	oaid and your check i	number for your	information. Kee	p in a safe pla	ace. PAGE 2 OF 4	

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SIOUX COUNTY TREASURER RANDALL J. JACOBSMA PO BOX 77 ORANGE CITY, IA 51041-0077 Phone: 712-737-3505	2009 CT Receipt # 154191
TAX DUE: March 1, 2011 TAX DELQ: April 1, 2011 <u>MAR 1, 2011</u> \$386.00	
BRUNSTING FAMILY LIVING T % BRUNSTING, ELMER H. 13630 PINEROCK HOUSTON TX 77079	RUST

- SIOUX COUNTY TAX BILL for SEPTEMBER 2010 and MARCH 2011. Please keep it in a safe place. Send the correct stubs along with your check for payment. If your taxes are paid by your Bank in Escrow, this is for your information only. SEE REVERSE SIDE. Based on January 1,2009 valuations. Taxes for July 1,2009 through June 30,2010. Payable September 2010 and March 2011.

P Dist/Parcel: 210 1002151002 A Receipt# 154191 Type 2009 R Cont. C Sec/Twp/Rng 02-096-45 E Legal: SW NW L	CT 💀 Location	Name BOYDEN-HULL V RUNSTING FAMILY LIVING	RUST Mail BR	UNSTING FAMILY LIVING ess # 00002266	Class A TRUST
VALUATIONS AND TAXES: A L U Land: A Buildings: T Dwelling: I		34,610 -32,484 0 \\ '0 0 \\ 0 0 \\ 0	INDEXING: N Other taxes unpa D Special Assessm E Drainage due. No X Tax sale certifica I G	ents due NO	· · · · · · · · · · · · · · · · · · ·
Value Times Levy Rate of: T EQUALS GROSS TAX OF: A Less Credits of: Homestead: X Low Income/Elderly Credit: E Ag Land Credit: S Family Farm Credit: Prepaid Tax:	0 1,220 33,944 23.8759400 \$810.44 \$.00 \$37.60- \$.00 \$.00	34,610, 32,484 23.5546300 \$765.15 \$.00 \$37.53- \$.00	N BRUNST NELVA E HOUSTO R S CONT:	TING FAMILY LIVING TING, ELMER H. & E. TRUSTEES N TX 77079	·
NET ANNUAL TAXES: Ag Dwelling Tax:	\$772.00.0 ¹⁰	/ \$728.00	State Tax Relief		
TAXING AUTHORITY:		of your current & prior ye		property taxes levied by	taxing authority
BOYDEN HULL COMM SCH COUNTY GENERAL BASIC FUND COUNTY RURAL BASIC FUND COUNTY MENTAL HEALTH FUND NORTHWEST IOWA COMM COLLEG DEBT SERVICE WELCOME TOWNSHIP COUNTY ASSESSOR FUND COUNTY AG EXTENSION FUND DEBT SERVICE STATE BANGS	3.002	\$21.87 \$2 \$21.87 \$2 \$12.19 \$1 \$8.67 \$ \$8.17 \$ \$5.35 \$ \$1.16 \$	10.24 1,914,5 2.94 533,4 8.60 10,2 8.24 318,5 55.21 191,5 2.33 191,5	975 1,732,111 345 574,112 259 10,040 552 348,542	11.907+ 5.305+ 0.361+ 0.084- 10.557+ 7.014- 2.181+ 8.604- 3.379+ 0.000+ 1.133+
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YOU MAY PAY ONLINE AT	www.iowatreasu	rers.org			
SIOUX COUNTY TREASURER RANDALL J. JACOBSMA PO BOX 77 ORANGE CITY, IA 51041-0077	Receipt # 154191			DUE March 1, 2011 Date Paid:	
Rétain this lower portion for your i	records. Enter the date		mber for your informa		ace. PAGE 3 OF 4

CHANGE OF ADDRESS:	
Owner 1:	
New Address:	
City/St/Zip:	
Owner 2:	<u>• 1575</u>
New Address:	$\frac{1}{2} = \frac{1}{2} \frac{1}{1} $
City/St/Zip:	
	od is accepted in your county treasurer's office.
	TO ALL TAXPAYERS: PLEASE READ CAREFULLY.
postmarked with a US Postal Service postmar	st, and March 1st. They become DELINQUENT on October 1st and April 1st. Payments must the k of September, or March. Mailing on Sept. 30 or March 31 DOES NOT guarantee a Septemb rks will require interest. If the last day of September or March falls on a Saturday or Sunday
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Include this STUB with March 2011 paym SIOUX COUNTY TREASURER RANDALL J. JACOBSMA PO BOX 77 ORANGE CITY, IA 51041-0077 Phone: 712-737-3505	2009 CT Receipt # 154192
TAX DUE: March 1,2011 TAX DELQ: April 1,2011 MAR 1,2011 \$381.00	
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BRUNSTING FAMILY LIVING TRUST % BRUNSTING, ELMER H. 13630 PINEROCK HOUSTON TX 77079	
Dist: 210 Parcel: 1002176001	

SIOUX COUNTY TAX BILL for SEPTEMBER 2010 and MARCH 2011. *Please keep it in a safe place.* Send the correct stubs along with your check for payment. If your taxes are paid by your Bank in Escrow, this is for your information only. SEE REVERSE SIDE. Based on January 1,2009 valuations. Taxes for July 1,2009 through June 30, 2010. Payable September 2010 and March 2011.

P Diot/Paraol: 210 1002176001			
Dist/Parcel: 210 1002176001 A Receipt# 154192 Type 2009 CT	District Name BOYDEN-HL		Class A
R Cont.		ING TRUST Mail BRUNSTING F	
C Sec/Twp/Rng 02-096-45	Net Acres 40.00	Address # 00002	· · · · · · · · · · · · · · · · · · ·
E Legal: SENW			
L			· · · · · · · · · · · · · · · · · · ·
VALUATIONS AND TAXES: This	Year Last Year		
Assessed	Taxable Assessed Taxat	D Other taxes unpaid NO D Special Assessments due No	• • • • • • • • • • • • • • • • • • • •
	33,474 34,130 - 32,03		
A Buildings: 0		X Tax sale certificate NO	· · · · ·
		0 I	
I Dwennig.		, CUNDADADA ,	· ·
O Less Military Credit:	- 0 , , , , , , , , , , , , , , , , , ,	<u> </u>	· -
N			
S NET TAXABLE VALUE: 50,5107	33,4741 \'34',130 ' 32,0	33 W DEED BRUNSTING FAMI BRUNSTING, ELM	LY LIVING TRUST
	3.8759400, 11, 23.554630	$\frac{1}{100}$ N NELVA E. TRUST	YEES
T EQUALS GROSS TAX OF:	\$799.22 \$754.		
A Less Credits of: Homestead:	1 15.00 1 5.0	00 R	
X Low Income/Elderly Credit:		00 S CONT	
E Ag Land Credit:	\$37.08- \$37.0		
S Family Farm Credit:	\$:00 \$.0		
Prepaid Tax:	\$.00	an kananan karisan kanan serara serara.	·
NET ANNUAL TAXES:	\$762.00 \$718.0		ن <u>من المحمد من المحرج من المحمد من المحم</u>
Ag Dwelling Tax:		State Tax Relief already de	
TAXING AUTHORITY:	Distribution of your current & price % Total This Year - UV	or year taxes TOTAL property tax Last Year	kes levied by taxing authority. Prior Percent +/-
BOYDEN HULL COMM SCH	- 62 132 \$473 ¹ 45	\$435.50	1,971,370 11.907+
BOYDEN HULL COMM SCH COUNTY GENERAL BASIC FUND COUNTY RURAL BASIC FUND	15.412 \$117.44	\$112.11 4.253.066	4,038,802 5.305+
COUNTY RURAL BASIC FUND	11.400 \$86.87	\$112.11 4,253,066 \$85.92 1,607,556	1,601,769 0.361+-
COUNTY MENTAL HEALTH FUND	3.602 \$27.45	\$27.61 993,900	994.731 0.084-
NORTHWEST IOWA COMM COLLEGE	2.832 \$21.58 1.580 \$12.04	\$19.96 1,914,975 \$12.76 533,845	1,732,111 10.557+ 574,112 7.014-
WELCOME TOWNSHIP	1.123 \$8.56	\$8.48 10.259	10.040 2 181+
COUNTY ASSESSOR FUND	1.059 \$8.07	\$8.48 10,259 \$8.13 318,552	10,040 2.181+ 348,542 8.604-
COUNTY AG EXTENSION FUND	0.693 \$5.28	\$5.14 191,330	185,076 3.379+
DEBT SERVICE STATE BANGS	0.151 \$1.15 0.014 \$0.11	\$2.30 0 \$0.09 3,929	0 0.000+ 3,885 1.133+
1		40.00 0,020	0,000 1.100
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YOU MAY PAY ONLINE AT WWW.	iowatreasurers.org		<u> </u>
SIOUX COUNTY TREASURER Rece	ipt #] DUE Sept 1, 2010	\$381.00 DUE Ma	rch 1, 2011 \$381.00
RANDALL J. JACOBSMA	·····		id: P5546
ORANGE CITY, IA 51041-0077			
Retain this lower portion for your records.	CHECK #:		

You MUST return STUB 2 with your March payment to ensure proper posting of your payment.	
CHANGE OF ADDRESS:	
Owner 1:	
New Address:	
City/St/Zip:	
Owner 2:	
New Address:	
City/St/Zip:	
Visa, MasterCard and Discover is another option payment method is accepted in	tax payment online at www.iowatreasurers.org. available online! Click on your county to see what n your county treasurer's office.
4. N. S.	n an
	PAYERS: PLEASE READ CAREFULLY.
 or March postmark. October or April postmarks will require interest payments will be accepted on the first day of the following month we to the nearest whole dollar, with a \$1.00 minimum per parcel. Over receipt unless you provide a stamped, self-addressed envelope. Your CHECK YOUR STATEMENTS: Failure to receive a tax statement paid before the interest date. Be sure to pay taxes on all your proper 	t will not relieve the taxpayer of interest accruing if taxes are not
 TAX SALES: All delinquent taxes are published within three week are added to your tax bill on May 1, per Iowa Code Chapter 446. Ar 	s of the Tax Sale, which is usually held on the 3rd Monday in June. Costs ny unpaid tax is subject to Tax Sale. The interest rate until redemption will if property is not redeemed within the time frame provided in Chapter
 ELDERLY OR DISABLED CREDITS: There is a program to pro (Currently, if below \$20,427.00.) CONTACT THE TREASURER for must be included as income. 	ovide help with your taxes, within certain low-income guidelines.
5. PARTIAL PAYMENTS : The County Treasurer MAY accept partia to make a partial payment. Partial Payments are NOT allowed on Sp	Il payments. Contact the Treasurer for more information, and authorization becial Assessments, Drainage, or Tax Sale Redemptions.
6. RETURNED CHECKS : If your check is returned to the treasurer, Check is returned after the tax deadlines, INTEREST WILL ALSO	your receipt shall be void. YOU WILL BE CHARGED A FEE. If your BE CHARGED.
7. HOMESTEAD, MILITARY, and FAMILY FARM CREDITS: T Please contact the Assessor for information.	hese credits must be applied for at the COUNTY ASSESSOR'S office.
8.* WHERE DO YOUR TAXES GO? The county treasurer collects ta accordingly. The distribution of your tax dollars is itemized on the f VALUATION which is set by the ASSESSOR.	exes on behalf of all tax authorities and distributes the amounts
9. CHANGE OF ADDRESS: PLEASE make sure you notify us when	n you move, so that we may send notices to the correct address.
· · · · · · · · · · · · · · · ·	P5547
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Brunsting Family Living Trust

We sent our rent payments with Checks from a joint account, and not thinking that those amounts needed to be split between Doyle & Justin – Please use the amounts for 1099's at end of year: vent paid so far is # 31,020.00

Please put \$ 23, 265.00 for Doyle \$ 7,755.00 for Justin Sorry for the trouble-Gan Wissink

КÒ



FARM LEASE THE IOWA STATE BAR ASSOCIATION Official Form No. 135 Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

John G. De Koster, 1102 Main Street, P.O. Box 801, Hull, IA 51239, Phone: (712) 439-2511

Taxpayer Information: (Name and complete address)

Elmer H. Brunsting Decedent's Trust, Anita Brunsting, Trustee, c/o Kroese & Kroese, 540 North Main Avenue, Sioux Center, IA 51250

Return Document To: (Name and complete address)

John G. De Koster, 1102 Main Street, P.O. Box 801, Hull, IA 51239, Phone: (712) 439-2511

Grantors: Anita Brunsting, Trustee Grantees: Doyle Wissink

Legal description: See Page 2

Document or instrument number of previously recorded documents:

FARM LEASE - CASH OR CROP SHARES THIS LEASE ("Lease") is made between Elmer H. Brunsting Decedent's Trust, dated April 1, 2009, Anita Brunsting, Trustee, ("Landlord"), whose address for the purpose of this Lease is c/o Kroese & Kroese, 540 North Main Avenue, Sioux Center, IA 51250 , and Dovle Wissink , ("Tenant"), whose address for the purpose of this Lease is 3414 340th Street, Hull, IA 51239 THE PARTIES AGREE AS FOLLOWS: 1. PREMISES AND TERM. Landlord leases to Tenant the following real estate situated in Sioux County, Iowa (the "Real Estate"): The Northwest Quarter (NW¼) of Section Two (2), Township Ninety-six (96) North, Range Forty-five (45) West of the Fifth P.M., except the farm building site therein, and containing 141 (total)(tillable) acres, more or less, with possession by Tenant for a term of 1 years to commence on 03/01/13 , and end on _____ February 28th ____, 2014 . The Tenant has had or been offered an opportunity to make an independent investigation as to the acres and boundaries of the premises. In the event that possession cannot be delivered within fifteen (15) days after commencement of this Lease, Tenant may terminate this Lease by giving the Landlord notice in writing. 2. RENT. Tenant shall pay to Landlord as rent for the Real Estate (the "Rent"): 59,925.00 ____ payable, unless otherwise agreed, as follows: a. Total annual cash rent of \$ October

All Rent is to be paid to Landlord at the address above or at such other place as Landlord may direct in writing. Rent must be in Landlord's possession on or before the due date. Participation of this farm in any offered program by the U.S. Department of Agriculture or any state for crop production control or soil conservation, the observance of the terms and conditions of this program, and the division of farm program payments, requires Landlord's consent. Payments from participation in these programs shall be divided

<u>0</u> % Landlord <u>100</u> % Tenant. Governmental cost-sharing payments for permanent soil conservation structures shall be divided <u>0</u> % Landlord <u>100</u> % Tenant. Crop disaster payments shall be divided <u>0</u> % Landlord <u>100</u> % Tenant.

3. LANDLORD'S LIEN AND SECURITY INTEREST. As security for all sums due or which will become due from Tenant to Landlord, Tenant hereby grants to Landlord, in addition to any statutory liens, a security interest as provided in the lowa Uniform Commercial Code and a contractual lien in all crops produced on the premises and the proceeds and products thereof, all contract rights concerning such crops, proceeds and/or products, all proceeds of insurance collected on account of destruction of such crops, all contract rights and U.S. government and/or state agricultural farm program payments in connection with the above described premises whether such contract rights be payable in cash or in kind, including the proceeds from such rights, and any and all other personal property kept or used on the real estate that is not exempt from execution. Tenant shall also sign any additional forms required to validate the security interest in government program payments.

Tenant shall not sell such crops unless Landlord agrees otherwise. Tenant shall notify Landlord of Tenant's intention to sell crop at least three (3) business days prior to sale of the crop (with business days being described as Monday through Friday, except any lowa or federal holidays). Tenant shall pay the full rent for the crop year in which the crop is produced, whether due or not, at the time of sale pursuant to Landlord's consent to release Landlord's security interests. Upon payment in full Landlord shall release Landlord's lien on the crop produced in that crop year on the premises. The parties agree that by the Landlord releasing the lien as to the crop in one year, the Landlord in no way releases the lien or agrees to release the lien in any prior or subsequent year.

Tenant shall sign and deliver to Landlord a list of potential buyers of the crops upon which Landlord has been granted a security interest in this lease. Unless Landlord otherwise consents, Tenant will not sell these crops to a buyer who is not on the potential list of buyers unless Tenant pays the full rent due for the crop year to the Landlord at or prior to the date of sale. Landlord may give notice to the potential buyers of the existence of this security interest.

Landlord is further granted the power, coupled with an interest, to sign on behalf of Tenant as attorney-in-fact and to file one or more financing statements under the Iowa Uniform Commercial Code naming Tenant as Debtor and Landlord as Secured Party and describing the collateral herein specified. Tenant consents to the financing statement being filed immediately after execution of this Lease.

4. INPUT COSTS AND EXPENSES. Tenant shall prepare the Real Estate and plant such crops in a timely fashion as may be directed by _______ (Landlord) (Tenant). Tenant shall only be entitled to pasture or till those portions of the Real Estate designated by Landlord. All necessary machinery and equipment, as well as labor, necessary to carry out the terms of this lease shall be furnished by and at the expense of the Tenant. The following materials, in the amounts required by good husbandry, shall be acquired by Tenant and paid for by the parties as follows:

	% Landlord	% Tenant
(1) Commercial Fertilizer	0	100
(2) Lime and Trace Minerals		100
(3) Herbicides		100
(4) Insecticides		100
(5) Seed		100
(6) Seed cleaning		100
(7) Harvesting and/or Shelling Expense		100
(8) Grain Drying Expense	0	100
(9) Grain Storage Expense		100
(10) Other		100

Phosphate and potash on oats or beans shall be allocated	
second year, and on all other crops allocated 100	% the first year and % the second year. Lime and
	If this Lease is not renewed, and Tenant does not therefore receive
the full allocated benefits, Tenant shall be reimbursed by Landlord	to the extent Tenant has not received the benefits. Tenant agrees to
furnish, without cost, all labor, equipment and application for all fert	ilizer, lime, trace minerals and chemicals

5. PROPER HUSBANDRY; HARVESTING OF CROPS; CARE OF SOIL, TREES, SHRUBS AND GRASS. Tenant shall farm the Real Estate in a manner consistent with good husbandry, seek to obtain the best crop production that the soil and crop season will permit, properly care for all growing crops in a manner consistent with good husbandry, and harvest all crops on a timely basis. In the event Tenant fails to do so, Landlord reserves the right, personally or by designated agents, to enter upon the Real Estate and properly care for and harvest all growing crops, charging the cost of the care and harvest to the Tenant, as part of the Rent. Tenant shall timely control all weeds, including noxious weeds, weeds in the fence rows, along driveways and around buildings throughout the premises. Tenant shall comply with all terms of the conservation plan and any other required environmental plans for the leased premises. Tenant shall do what is reasonably necessary to control soil erosion including, but not limited to, the maintenance of existing watercourses, waterways, ditches, drainage areas, terraces and tile drains, and abstain from any practice which will cause damage to the Real Estate.

Upon request from the Landlord, Tenant shall by August 15 of each lease year provide to the Landlord a written listing showing all crops planted, including the acres of each crop planted, fertilizers, herbicides and insecticides applied showing the place of application, the name and address of the applicator, the type of application and the quantity of such items applied on the lease premises during such year.

Tenant shall distribute upon the poorest tillable soil on the Real Estate, unless directed otherwise by Landlord, all of the manure and compost from the farming operation suitable to be used. Tenant shall not remove from the Real Estate, nor burn, any straw, stalks, stubble, or similar plant materials, all of which are recognized as the property of Landlord. Tenant may use these materials, however, upon the Real Estate for the farming operations. Tenant shall protect all trees, vines and shrubbery upon the Real Estate from injury by Tenant's cropping operation or livestock.

Tenant shall maintain accurate yield records for the real estate, and upon request, during or after lease term, shall disclose to Landlord, all yield base information required for participation in government programs.

8. ENVIRONMENTAL.

- a. Landlord. To the best of Landlord's knowledge to date:
- i) Neither Landlord nor, Landlord's former or present tenants, are subject to any investigation concerning the premises by any governmental authority under any applicable federal, state, or local codes, rules, and regulations pertaining to air and water quality, the handling, transportation, storage, treatment, usage, or disposal of toxic or hazardous substances, air emissions, other environmental matters, and all zoning and other land use matters.
- ii) Any handling, transportation, storage, treatment, or use of toxic or hazardous substances that has occurred on the premises has been in compliance with all applicable federal, state, and local codes, rules, and regulations.
- iii) No leak, spill release, discharge, emission, or disposal of toxic or hazardous substances has occurred on the premises.
- iv) The soil, groundwater, and soil vapor on or under the premises is free of toxic or hazardous substances except for chemicals (including without limitation fertilizer, herbicides, insecticides) applied in conformance with good farming methods, applicable rules and regulations and the label directions of each chemical.

Landlord shall hold Tenant harmless against liability for removing solid waste disposal sites existing at the execution of this Lease, with the exception that Tenant shall be liable for removal of solid waste disposal sites to the extent that the Tenant created or contributed solid waste disposal site at any time.

Landlord shall assume liability and shall indemnify and hold Tenant harmless against any liability or expense arising from any condition which existed, whether known or unknown, at the time of execution of the lease which is not a result of actions of the Tenant or which arises after date of execution but which is not a result of actions of the Tenant.

Landlord shall disclose in writing to Tenant the existence of any known wells, underground storage tanks, hazardous waste sites, and solid waste disposal sites. Disclosure may be provided by a properly completed groundwater hazard statement to be supplemented if changes occur.

b. <u>Tenant</u>. Tenant shall comply with all applicable environmental laws concerning application, storage and handling of chemicals (including, without limitation, herbicides and insecticides) and fertilizers. Tenant shall apply any chemicals used for weed or insect control at levels not to exceed the manufacturer's recommendation for the soil types involved. Farm chemicals (may) (may not) be stored on the premises for more than one year. Farm chemicals for use on other properties (may) (may not) be stored on this property. Chemicals stored on the premises shall be stored in clearly marked, tightly closed containers. No chemicals or chemical containers will be disposed of on the premises. Application of chemicals for agricultural purposes per manufacturer's recommendation shall not be construed to constitute disposal.

Tenant shall employ all means appropriate to insure that well or ground water contamination does not occur, and shall be responsible to follow all applicator's licensing requirements. Tenant shall install and maintain safety check valves for injection of any chemicals and/or fertilizers into an irrigation system (injection valve only, not main well check valve). Tenant shall properly post all fields (when posting is required) whenever chemicals are applied by ground or air. Tenant shall haul and spread all manure on appropriate fields at times and in quantities consistent with environmental protection requirements. Tenant shall not dispose of waste oil, tires, batteries, paint, other chemicals or containers anywhere on the premises. Solid waste (may) (may not) be disposed of on the premises. Dead livestock (may) (may not) be buried on the premises. If disposal of solid waste or burial of dead animals is permitted as stated in the previous two sentences, the disposal or burial shall be in compliance with all applicable environmental laws. Tenant shall not use waste oil as a means to suppress dust on any roads on or near the premises. No underground storage tanks, except human waste septic systems that meet current codes, rules, and regulations, shall be maintained on the premises.

Tenant shall immediately notify Landlord of any chemical discharge, leak, or spill which occurs on premises. Tenant shall assume liability and shall indemnify and hold Landlord harmless for any claim or violation of standards which results from Tenant's use of the premises. Tenant shall assume defense of all claims, except claims resulting from Landlord's negligence, in which case each party shall be responsible for that party's defense of any claim. After termination, Tenant shall remain liable for violations which occurred during the term of this Lease.

In the absence of selection of an alternative where choices are provided in this paragraph 8b, the choice of word "may" shall be presumed unless that presumption is contrary to applicable environmental laws and regulations.

9. **TERMINATION OF LEASE.** This Lease shall automatically renew upon expiration from year-to-year, upon the same terms and conditions unless either party gives due and timely written notice to the other of an election not to renew this Lease. If renewed, the tenancy shall terminate on March 1 of the year following, provided that the tenancy shall not continue because of an absence of notice in the event there is a default in the performance of this Lease. All notices of termination of this Lease shall be as provided by law.

10. **POSSESSION AND CONDITION AT END OF TERM.** At the termination of this Lease, Tenant will relinquish possession of the Real Estate to the Landlord. If Tenant fails to do so Tenant agrees to pay Landlord \$ **200.00** per day, as liquidated damages until possession is delivered to Landlord. At the time of delivery of the Real Estate to Landlord, Tenant shall assure that the Real Estate is in good order and condition, and substantially the same as it was when received by Tenant at the commencement of this Lease, excusable or insurable loss by fire, unavoidable accidents and ordinary wear, excepted.

11. LANDLORD'S RIGHT OF ENTRY AND INSPECTION. In the event notice of termination of this Lease has been properly served, Landlord may enter upon the Real Estate or authorize someone else to enter upon the Real Estate to conduct any normal tillage or fertilizer operation after Tenant has completed the harvesting of crops even if this is prior to the date of termination of the lease. Landlord may enter upon the Real Estate at any reasonable time for the purpose of viewing or seeding or making repairs, or for other reasonable purposes.

12. VIOLATION OF TERMS OF LEASE. If Tenant or Landlord violates the terms of this Lease, the other may pursue the legal and equitable remedies to which each is entitled. Tenant's failure to pay any Rent when due shall cause all unpaid Rent to become immediately due and payable, without any notice to or demand upon Tenant.

13. **REPAIRS.** Tenant shall maintain the fences on the leased premises in good and proper repair. Landlord shall furnish necessary materials for repairs that Landlord deems necessary within a reasonable time after being notified of the need for repairs. Tenant shall haul the materials to the repair site without charge to Landlord.

14. **NEW IMPROVEMENTS.** All buildings, fences and improvements of every kind and nature that may be erected or established upon the Real Estate during the term of the Lease by the Tenant shall constitute additional rent and shall inure to the Real Estate, becoming the property of Landlord unless the Landlord has agreed in writing prior to the erection that the Tenant may remove the improvement at the end of the lease.

15. WELL, WINDMILL, WATER AND SEPTIC SYSTEMS. Tenant shall maintain all well, windmill, water and septic systems on the Real Estate in good repair at Tenant's expense except damage caused by windstorm or weather. Tenant shall not be responsible for replacement or installation of well, windmill, water and septic systems on the Real Estate, beyond ordinary maintenance expenses. Landlord does not guarantee continuous or adequate supplies of the water for the premises.

16. EXPENSES INCURRED WITHOUT CONSENT OF LANDLORD. No expense shall be incurred for or on account of the Landlord without first obtaining Landlord's written authorization. Tenant shall take no actions that might cause a mechanic's lien to be imposed upon the Real Estate.

17. NO AGENCY. Tenant is not an agent of the Landlord.

18. **TELEVISION AND RADIO.** Tenant may install and remove, without causing material injury to the premises, Tenant's television reception antennas, microwave dishes, and radio reception and transmission antennas.

19. ACCOUNTING. The method used for dividing and accounting for the harvested grain shall be the customary and usual method used in the locale.

20. ATTORNEY FEES AND COURT COSTS. If either party files suit to enforce any of the terms of this Lease, the prevailing party shall be entitled to recover court costs and reasonable attorneys' fees,

21. CHANGE IN LEASE TERMS. The conduct of either party, by act or omission, shall not be construed as a material alteration of this Lease until such provision is reduced to writing and executed by both parties as addendum to this Lease.

22. CONSTRUCTION. Words and phrases herein, including the acknowledgement, are construed as in the singular or plural and as the appropriate gender, according to the context.

23. **NOTICES.** The notices contemplated in this Lease shall be made in writing and shall either be delivered in person, or be mailed in the U.S. mail, certified mail to the recipient's last known mailing address, except for the notice of termination set forth in Section 9, which shall be governed by the Code of Iowa.

24. **ASSIGNMENT.** Tenant shall not assign this Lease or sublet the Real Estate or any portion thereof without prior written authorization of Landlord.

25. **CERTIFICATION.** Tenant certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and it is not engaged in this transaction, directly or indirectly on behalf of, or instigating or facilitation this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Tenant hereby agrees to defend, indemnify and hold harmless Landlord from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.

26. ADDITIONAL PROVISIONS.

A. Tenant shall report to Kroese & Kroese, acting on Landlord's behalf, on or before August 1 in each year of this Lease, a listing of all fertilizer and chemicals applied on the subject premises. Said report shall include the names of the chemicals and fertilizers, amounts applied and any application records, including grid sampling that the Tenant may have or may be able to obtain.

B. Prior to the end of each calendar year during the term of this Lease, Tenant shall report to Kroese & Kroese, acting on Landlord's behalf, the yield of all crops planted on the subject premises as certified for purposes of Federal Crop Insurance or as certified to the Farm Service Agency.

DATED: <u>1,2012</u> TENANT: <u>Joyle R. Wischulp</u> Doyle Wissink	LANDLORD: ELMER H. BRUNSTING DECEDENT'S TRU By Curto Kay Brunsta My R. Brunt 10/13/12
STATE OF	
COUNTY OF	
This instrument was acknowledged before me on	,, by
	, Notary Public
STATE OF	
COUNTY OF	
This instrument was acknowledged before me on by	1
as	
	corporation (has no seal) (has a seal which is affixed hereto).

, Notary Public

[ATTACH OTHER APPROPRIATE ACKNOWLEDGEMENT(S) HERE]