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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 19th day
of September AD 2014
Carla K. Becker Auditor
By P. Hildebrand Deputy

Prepared By and Return To: (DEW) Brian J. Kane of Kane, Norby & Reddick, P.C., 2100 Asbury Road, Suite 2, Dubuque, IA 52002, 563-582-7980
Taxpayer Information: Steven A. Lueken and Jill J. Lueken, 3075 Highway 3, Colesburg, IA 52035

AMENDMENT TO
TO REAL ESTATE CONTRACT-INSTALLMENTS

This Amendment to Real Estate Contract-Installments ("Amendment") is made this 12th day of September, 2014, by and between BERNICE E. LUEKEN FAMILY TRUST ("Seller"), and STEVEN A. LUEKEN and JILL J. LUEKEN, husband and wife, as joint tenants with the full right of survivorship and not as tenants in common ("Buyers").

Recitals

A. Seller and Buyers entered into that certain Real Estate Contract-Installments dated March 14, 2014 and recorded July 16, 2014 in Book 2014, Page 1719 in the records of the Delaware County Recorder (the "Contract");

B. The parties desire to amend the legal description set forth on Exhibit A ON PAGE #4 and the total purchase price set forth in section 1 of the Contract.

C. The parties desire to reduce their agreement to writing.

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree upon the following mutual terms and conditions:

Agreement

1. Amendment. The parties hereby amend the Contract as follows:

(a) The legal description of the real estate is amended as set forth on Exhibit A attached hereto and by this reference made a part hereof; and

(b) Section 1 is amended as follows:

1. **TOTAL PURCHASE PRICE.** The Buyers agree to pay for said property the total of $1,377,840.00, due and payable at 3075 Highway 3, Colesburg, Delaware County, Iowa, as follows:

(a) **DOWN PAYMENT** of $300,000.00, **RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED**; and

(b) **BALANCE OF PURCHASE PRICE.** $1,077,840.00 as follows: See section 27(a).

2. Affirmation. In all other respects, except as specifically amended pursuant to section 1 of this Amendment, the parties affirm all terms and conditions of the Contract, which continue in full force and effect.

3. Miscellaneous. This Amendment shall be governed by and construed in accordance with the laws of the state of Iowa and shall be binding on the parties hereto and their respective successors in interest and permitted assigns.

This Amendment was signed effective as of the date first above written.

BERNICE E. LUEKEN FAMILY TRUST, Seller

By * Steven Lueken Trustee
Steven Lueken, Trustee

* Steven A Lueken
Steven A. Lueken, Buyer

* Jill J Lueken
Jill J. Lueken, Buyer

STATE OF IOWA)
COUNTY OF ~~DUBUQUE~~ Delaware) ss:

This instrument was acknowledged before me this 12th day of September, 2014, by Steven Lueken as trustee of the Bernice E. Lueken Family Trust.

Jeanette K. Thein
Notary Public

NOTARIAL SEAL IOWA
JEANETTE K. THEIN
COMMISSION NUMBER 139384
My Comm. Exp. 5-1-16

STATE OF IOWA)
COUNTY OF ~~DUBUQUE~~ Delaware) ss:

This instrument was acknowledged before me this 12th day of September, 2014, by Steven A. Lueken and Jill J. Lueken, husband and wife.

Jeanette K. Thein
Notary Public

NOTARIAL SEAL IOWA
JEANETTE K. THEIN
COMMISSION NUMBER 139384
My Comm. Exp. 5-1-16

Grantor: Bernice E. Lueken Family Trust
Grantee: Steven A. Lueken and Jill J. Lueken

Exhibit A

The Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section Nine (9), except a strip twenty (20) feet wide across the North side thereof extending from the public highway to the East line of said tract, reserved as a public highway to the cemetery in said Section, subject to an easement to the State of Iowa for highway purposes, as recorded in Book 63, at page 381.

The Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼); and the North Half (N ½) of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼); and all that tract of land lying West of the Dubuque-Colesburg Highway in the West Half (W ½) of the Northeast Quarter (NE ¼), all being in Section Nine (9), Township Ninety (90) North, Range Three (3), West of the 5th P.M., Delaware County, Iowa, subject to roadways and easements of record. AND The West Half of the Southwest Quarter (SW ¼) of Section 9, Township 90 North, Range 3, Delaware County, Iowa lying South of the center line of the County Road, Except Parcel "A" located in the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 9, Township 90 North, Range 3, West of the 5th P.M., Delaware County, Iowa, and Except commencing at a point located 2,250 feet North and 940 feet East of the Southwest corner of Section 9, Township 90 North, Range 3, West of the 5th P.M., point of beginning, thence East and North along the center of existing county gravel road to a point at which said county road intersects the East line of the Northwest Quarter (NW ¼) of Southwest Quarter (SW ¼) of said Section 9, thence due South 485 feet, thence Northwesterly a distance of 445 feet to a point that is 330 feet due South of beginning point, thence North 330 feet to point of beginning. AND The Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) except that part described as commencing seven hundred sixty (760) feet North of the Southwest corner thereof, thence running East two hundred ninety (290.0) feet, thence North four hundred fifty (450.0) feet, more or less to the centerline of the County Road, thence Southwesterly along the centerline of said road to the West line of said Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼), thence South along said West line two hundred twenty (220.0) feet, more or less to the point of beginning; and all that part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) lying North of the centerline of the County Road running generally East and West through said Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼), and the South One-half of the Southeast Quarter (SW ¼) of the Northwest Quarter (NW ¼), all in Section 9, Township 90 North, Range 3, West of the 5th P.M., in Delaware County, Iowa

That part of the West one-half (W 1/2) of the Northwest Quarter (NW 1/4) of Section Nine (9), Township Ninety (90) North, Range Three (3), West of the 5th P.M. described as commencing at a point Twenty (20) feet North of the Southeast corner thereof, thence South along the East line to said Southeast corner, thence West along the South line Twenty (20) feet, thence in a Northeasterly direction to the place of beginning.